

A JOURNAL
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

AT ITS TWELFTH SESSION—COMMENCED JAN
UARY THE SIXTH, ONE THOUSAND EIGHT
HUNDRED AND THIRTY-FOUR.

Begun and held at the Capitol, in the City of Tallahassee,
January the 6th, 1834.

The following gentlemen, Members elect appeared—
To wit

From WALTON,	JOHN L. McKENNON.
" FRANKLIN and	JAMES D. BULLOCK.
" WASHINGTON,	PETER W. GAUTIER,
" JACKSON and	WILLIAM S. MOORING.
" FAYETTE,	JONATHAN ROBINSON.
" GADSDEN,	CHARLES H. DUPONT.
" LEON,	GEORGE T. WARD.
" JEFFERSON,	DANIEL BIRD.
" ALACHUA and	GABRIEL PRIEST.
" COLUMBIA,	JOHN KIRKLAND.
" NASSAU,	JOHN WARREN.
" DUVAL,	JOSEPH L. SMITH,
" St. JOHNS and	JAMES RIZ.
" MOSQUITO,	EDWARD CHANDLER,
" MONROE,	

Who having been qualified according to law, by the Hon. THOMAS RANDALL, Judge of the Superior Court for the Middle District of Florida, took their seats.

On motion of Mr. WARREN, Mr. ROBINSON was called to the Chair, when the House proceeded to organize itself.

Mr. WARREN was elected President, and was thereupon conducted to the Chair, when he made a suitable address. JOSEPH B. LANCASTER was elected Chief Clerk—JAS. BRYANT, Jr. was elected Sergeant-at-Arms, and JOHN G. TIER was elected Door Keeper.

Mr. GAUTIER moved that a Committee of three be appointed to wait upon his Excellency the Governor, and inform him that the House is now organized and ready to receive any communications he may have to make—which was adopted. Messrs. GAUTIER, SMITH and ROBINSON were appointed on that Committee.

Mr. GAUTIER offered the following Resolution, to wit:—Resolved, That the Rules adopted for the government of the last Council, be now considered in force as the rules of the present Session—which was read and adopted.

On motion of Mr. CHANDLER, the House adjourned until to-morrow 10 o'clock.

TUESDAY, JANUARY 7th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. GAUTIER, from the Select Committee appointed for that purpose, made the following Report:

The Committee appointed to wait upon the Governor, and inform him of the organization of the House, have performed that duty—and report that his Excellency will, to-day, make his annual communication to the Council.

Mr. GAUTIER offered the following Resolution, viz:

Resolved, That the Legislative Council now proceed to the election of eight Engrossing and Enrolling Clerks, who shall receive ten cents per hundred words for Engrossing, and twenty cents per hundred words for Enrolling, as compensation for their services out of the appropriation made by Congress; and if said appropriation be insufficient to make such compensation, and to defray the other necessary expenses of the Session, then a reduction pro rata shall be made from the accounts of such Clerks, and from all other charges made against the Council; so that, in no event, the expenditures thereof shall exceed the appropriation made as aforesaid for the present year—which was read and adopted.

The following Message was received from his Excellency the Governor, by his Private Secretary THOS. DUVALL, which was read, and on motion of Mr. BULLOCK, five hundred copies thereof are ordered to be printed, to wit:

Gentlemen of the Legislative Council,

Our public duties having once more assembled us, it is hoped that the usual spirit of harmony and good feeling will pervade, and usefully and agreeably promote the completion of our labours.

In all new countries there is much to command attention; and the Legislative body, especially, has various and important interests to provide for and establish.

It is of the utmost consequence to the present and future prosperity and happiness of our fellow-citizens, that our system of Legislation should be cautious, wise and permanent.

The precedents now recognized, are to govern in after times; and the injuries or benefits resulting from them, will increase with your age and strength.

True wisdom will ever keep a watchful eye over the Civil and Criminal Code, adapting its laws to sound morality and our free institutions, and while they secure the lives, liberty and property of the citizens, they should sternly repel licentiousness and vice.

We cannot devote too much of our time to the revision and perfection of our Code, as our moral character, as a people, will be formed by its sure, but never-ceasing influence.

The law prescribing the mode of electing and returning the persons voted for as members of the Legislative Council, is calculated to create doubt and embarrassment, as to the proper course the Executive should pursue, in the event of the returns being delayed after the time fixed by law. Thirty days is the time limited, in which, the act requires the Governor to issue his proclamation, declaring who are elected members of the Legislative Council.

If the Executive had strictly pursued the law, it would have been doubtful whether the present Council would have formed a quorum to legislate. Many of the Election Returns were not received within thirty days after the election. This law seems to require amendment, as thirty days is too short a period to receive all the returns; and those from the County of Monroe, are from thirty to fifty days behind all others. It is submitted to the Legislature, if it might not be serviceable and proper, to have the form of the poll books and the certificates printed for the use of each county, and transmitted to the several Judges of the County Courts, to be distributed by them.

to the Inspectors of the election, together with the law on the same subject.

An act concerning Patrols, passed at your last session, has not answered public expectation. The power given by the act seems properly to belong to the military; and it is submitted to your consideration, if it would not promote the views of the Legislature better, if the officers of the militia were empowered to execute this law.

The improper trade carried on between certain white men, in defiance of law, with the slaves, of late has greatly increased.

The planters in the vicinity of the towns and villages, have sustained serious loss by the encouragement given to their labourers to steal, as they find ready market for every article they carry to these traders.

This evil has become so great, that unless an adequate remedy is provided, the plantations near our villages must become ruinous to their owners.

The "Union Bank of Florida," chartered during the last session of the Legislature, has not yet gone into operation. Little doubt is now entertained, that the funds necessary for this purpose can be obtained.

The Executive has every reason to hope and believe, if this institution goes fairly into operation, and is prudently and wisely managed, it will essentially promote the planting interests of our Territory, and will, of consequence, benefit every other class of society.

Our language, habits and customs are entirely English—Our Jurisprudence is copied from them—Our Banking Corporations and institutions of every kind are drawn from Great Britain; and that the United States have derived much benefit from her wisdom, experience and example, none will deny.

Nations, like individuals, are too apt, however, to seize on the defects, rather than the perfect system of their original. They take too much for granted, without looking at their own peculiar situation—without reflecting, that what is wisdom in the model, might be folly or mean servility in the copyist.

Great Britain wisely looks to her Commerce and Manufactories, as the pillars of her power and grandeur.

Her Agricultural interest is of the least value, and consequently, stands last for her consideration. Surrounded by powerful and jealous rivals, and occupying but a small territory, she would be unable to maintain her influence or her rights, but for her mighty commerce, sustained by her wonderful workshops, and aided by all the power and genius of science and the arts. Her millions live in her ships and factories.

The United States present a picture not less imposing for the time they have existed, but wholly different in one respect—Nineteen-twentieths of our population are engaged in agriculture. It must stand the highest in our estimation, as it is, decidedly, our most valuable and prominent interest.

England justly ranks her's in the order they deserve to stand. First, Commerce, next Manufactures, and last Agriculture.

The United States should look, first, to Agriculture; next to Commerce, and last to Manufactures. Every other object in confiction, should yield to Agriculture; and until this becomes the stable policy of our nation, we can never reap the full harvest of prosperity.

With us, Commerce must be the maid, not the mistress of Agriculture; and Manufactures must yield to, and depend on both. If Great Britain comprised the territory now within the limits of the United States, can it be believed for a moment, she would not change her whole policy?

The wisdom and foresight of her statesmen would, undoubtedly, place Agriculture first. They would create institutions to extend and perpetuate its moral influence and benefits. The farmer would, at once, be enabled to command the capital necessary for his successful operations, and you would hear no more of his folly, in looking to BANKING INSTITUTIONS FOR AID, as they would be ADAPTED to the CONDITION, and FORMED to SUBSERVE this great national interest, as they now effectually do, the commerce of that country.

It may be well worth the time of the statesman to inquire, how it has happened with all our experience and knowledge, that no system of legislation has yet been devised in the United States, to promote and improve the farming interest? What encouragement has been offered for any one of our products?

What advance has science, generally, or chemistry especially, made, in analyzing the properties and qualities of the diversified soils of our country?

Shall we be fairly answered, when we are told of the advantages and improvements made in our culture, and the raising of fine horses and other stock, by the exertions of small societies of individuals in several parts of the Union, who have held out premiums and rewards, connected with the newspaper fame of the day, to the enterprising and ambitious farmer and grazier? This would only prove that even small communities of enterprising and generous men, can effect something really beneficial to Agriculture; but does it not, at the same

time, establish the fact that a great national concern, would be best sustained and promoted by the National Legislature? If the constitutional power to interfere in such matters, be denied to Congress, then it is the duty, and should be paramount in every local Legislature, to foster and provide for this all important interest.

If a few individual companies can be of real service, what might not each State and Territory effect, when their union, and resources, and power should be roused into activity? While science has extended her flight to every region; when the arts have given new wings to Commerce by land and water, and the power of steam has created new wonders in the manufacturing world, Agriculture, on which, all these must eventually depend, has slumbered in obscurity, neglected and overlooked.

It is time, surely, that nineteen-twentieths of this great nation, should rise up to sustain their own prosperity; to call into their service the genius and science of the day, and create a new era for Agriculture.

It is, indeed, melancholy to witness how far in the rear of Commerce and Manufactures, the most useful of all man's labour is stationed: I say stationed, because Agriculture is two hundred years behind Commerce and Manufactures, in Europe, and with us, is at least a century behind her advance in the Old World.

What more do we know of our various soils and their products, and mode of culture, than was pursued and practised, two hundred years since, by our forefathers?

In all countries where good land is cheap, it will be admitted, that it is evidence of a thin, scattered, and poor population. With us, we know it to be so. We have too much land and too little active capital to put it into cultivation.

Could the cultivators throughout the Union, command the capital necessary in their business, it would infuse new life and activity into all the departments of Agriculture; increasing her products; adding largely to individual comfort and independence, and to our National prosperity and grandeur.

Until the planting interest of this Territory can be roused to the importance of this subject, they will find, as their forefathers heretofore have, that their economy, enterprise and labour will be given to increase the wealth and consequence of others, who have only acted as the receivers of their profits.

The parental care of the Government, in providing for the permanent improvement of our Territory, claims our thanks and deserves our gratitude.

The harbours of St. Marks and Apalachicola, under

the direction of Lieut. George W. Long, of the Engineer Corps, and the farther improvement of the Ocklocknee, St. Marks and Little Rivers, will give our citizens who are convenient, great advantages in shipping their crops to market, and in procuring their supplies.

This enterprising and efficient officer believes, that with the present appropriation by Congress for that object, he will be able to make a straight channel from Apalachicola to St. George's Sound, where vessels drawing eleven or twelve feet of water, may arrive at the town.

Should a further appropriation of Six Thousand Dollars be granted by Congress, Lieutenant Long entertains no doubt, that the outer Bar of St. Marks' Harbour can be removed, so as to admit vessels, drawing from fourteen to fifteen feet water, to arrive near the light-house, which would greatly add to the value of the port, and the importance of our trade.

Under the superintendence of Captain S. Shannon, the general government is now building a permanent bridge over the lagoon on the west side of the Apalachicola river, at a point where it will subserve the purposes of the United States' arsenal, which is about to be erected near that river, under the superintendence of Captain J. Hills, of the Ordnance. This bridge will facilitate the intercourse between the several counties in our territory, and the passage of the mails to the west. These important works, will be of great utility to the territory.

The river Choctawhatchie, under the direction of Captain Shannon, will be cleared of all obstructions to its navigation, when the line of communication will be rendered easy and expeditious by stages and steamboats from Tallahassee to Pensacola.

These improvements in the navigation of our rivers, so well devised to add to the consequence and prosperity of our territory, might, however, be beneficially extended to the Ocilla, Suwannee, and St. John's rivers, and such other of our waters, as could be rendered navigable at a moderate expense.

A survey of a road from this city to the St. John's crossing the Suwannee near its junction with the Withlacoochee, and shortening the route nearly fifty miles, has been made by Captain Shannon under the instructions of the Quarter Master General; and it is anticipated an appropriation will be made at this session of Congress for its construction.

The services of Capt. Shannon, Lieut. L'Engle, and the officers who have been connected with the Quarter Master General's Department in the construction and repairs

of our roads and bridges, have been greatly beneficial to our territory, and it is to be hoped, Congress will not withhold the funds necessary for the progression of their contemplated improvements. I have thought it proper, gentlemen, to call your attention to this subject, as I feel assured, that the legislature will take a deep interest, not only in such as have been finished, but will exert their influence with Congress to induce their further aid in extending these invaluable improvements to our other rivers and harbours.

It is noticed with gratification that the Navy Department has recommended to Congress the deepening of the entrance to the harbour of Pensacola, so as to admit seventy-four's. That the project is practicable, there can be no doubt, and at comparatively small expense. Would it be too much to anticipate, on its completion, that in a few years that city, possessing the advantages of a salubrious and healthy situation; a harbour surpassed by none in America, and impregnable fortified, may become the shipping port for most of our southwestern commerce, instead of New-Orleans and Mobile?

All that is wanting is a direct canal communication to some favourable point on the Mississippi, which men of science and practical information have stated, can be easily constructed. Less than fifty miles of canalling for steamboats, it has been estimated, will be necessary.

The survey of a route for a canal from the Mississippi to the Atlantic, has been executed long since; and it is a subject of regret with our fellow-citizens, that no attempt has been yet made to carry into action this important work, so admirably calculated to connect the western with the Atlantic trade, and to avoid the dangerous navigation round Cape Florida.

The executive, some years since, took pains to ascertain the value of the property wrecked upon the Florida coast, for several years previous.—The property annually lost, amounted to \$50,000,—and one of the years it exceeded \$700,000. The western states would find their substantial interests promoted, by the completion of this great national work.

The intercourse and trade from the Mississippi to Mobile and Charleston, would be open to their enterprise, and the same steamboat that received their products at the heads of the navigable western waters, would deliver them in Alabama, Georgia, South Carolina and Florida.

The whole line of communication between the Mississippi and Atlantic, if taken up the Suwannee river, through the great lake Okfenoke, can be rendered perfect for all the purposes of commerce, for one half the amount it

would cost in any other portion of the United States. The route as surveyed by the brigade, under that distinguished officer, General Bernard, late of the Engineer Corps, crossed the Ocilla, Suwannee, & Santa Fee rivers, and the high-lands between them, to the navigable waters of the St. John's. The report of General Bernard went to show, that if sufficient water could not be obtained by filtration in the deep cuts between Suwannee and Santa Fee, and Santa Fee and Black Creek, a navigable water of the St. John's river, that the country adjacent did not afford sufficient for the canal. He was of opinion, however, that an ample supply of water might be had through the deep cuts. But why hazard so important a work on the speculative idea of commanding, by filtration, the necessary supply, when the noble river, Suwannee and the great lake from which it issues, will certainly afford the most inexhaustible and abundant supply of water for the canal?

The route up the Suwannee river and through this lake, is not only the easiest and best, but all the expense and difficulty of a long, deep cut, can be avoided. From the eastern end of this lake, to the navigable part of the river St. Mary's, is an uncommonly level country, and a canal of twenty-five miles, will unite the lake with the river, giving us the port of St. Mary's, one of the best on the Atlantic border, which will afford easy entrance and security to ships of the largest class.

It is highly gratifying to announce to the legislature that the Indians within the limits of this territory, have consented to remove west of the Mississippi. The commissioner appointed by the President of the United States, to negotiate with the Seminoles for their ultimate removal, is entitled to much credit for his success.

The removal of this unfortunate race to a situation, where they can receive all the benefits and advantages, which our humane government will kindly extend for their permanent residence, instruction and government, will, while it secures their happiness, reflect honour on the national character.

It is expected, that within three years, the last of the Seminoles will be comfortably located in the country selected for them, and it is better adapted, in every respect to advance their civilization and moral improvement, than their present residence, surrounded as they are, by our white population.

The executive will not fail, as far as the treaties made, depend on him, to see the same promptly executed.

On the removal of the Indians, a fine country, better adapted than the larger portion of Florida for the cultivation

tion of sugar cane and sea island cotton, will be opened to the enterprising emigrant of capital and industry, who with care and economy may, in a few years, be rewarded most amply for all his expenditures and privations.

The legislature at their last session, by way of resolution, urged Congress to permit the sale of the lands reserved for education, and it may be advisable to bring the subject again before that body.

Experience has shown how necessary it is, that these lands should be sold.

No advantage has occurred by renting them, and in a few years more, their fertility will be reduced by a careless and improvident culture, while the most valuable timber will be destroyed.

The sale of these lands in such mode or on such terms as Congress may provide, will increase the fund for education; and if the proceeds were vested by the secretary of the treasury, in some productive stock, leaving the interest only to be drawn for, and applied to, education under your authority, and so to continue until Congress shall deem it prudent to place the whole under the control of the government of Florida, the fund for education would at once become useful and productive.

A certain income would be thus secured, which annually appropriated for the education of our youth, would at least, form a basis on which might be founded a school fund, that by wise and prudent enactments, might, in time be adequate to the necessities of our young and increasing population.

In another view of this judicious disposition of the lands, it may be remarked, that many thousand acres of the most fertile land in the territory would be placed under cultivation, would soon yield to the industry of our planters, profitable crops of sugar and cotton, which are now rapidly increasing the exports of our country.

Gentlemen of the legislative council, actuated as you are, by an ardent desire, to develop and bring into action the resources of this territory, I can give you the assurance, that I shall be ever prompt in co-operating with you in all such measures as will secure to our fellow-citizens, every advantage that can result from impartial and wise legislation.

WILLIAM P. DUVAL.

The House proceeded to the election of Engrossing and Enrolling Clerks—Messrs. John G. Gunn, Henry K. McClintock, Edmund Wallun, John W. Roberts, Joseph Wry, Henry J. Holmes and Thomas H. Brickell, were duly elected.

Several unsuccessful ballots having been had for the election of another Clerk, to fill the number required by the Resolution of the House, on motion of Mr. BULLOCK, the election of such Engrossing and Enrolling Clerk was postponed until to-morrow.

On motion of Mr. GAUTIER, the House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, JANUARY 8th 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

MESSRS. THOMAS M. BLOUNT, and ROBERT M. FORBES, members elect from the County of Escambia, appeared, and on motion of Mr. Smith, were duly qualified, and took their seats.

On motion of Mr. BULLOCK, the House proceeded to ballot for an eighth engrossing and enrolling Clerk. Mr. WM. W. BELL was declared duly elected.

Mr. BLOUNT offered the following resolution, to wit: Resolved, That a committee of three be appointed to prepare rules, for the government of the Council during the present session,—Which was read, and on his motion adopted—Messrs. Blount, Gautier and Byrd, were appointed on that committee.

On motion of Mr. SMITH, the House adjourned until to-morrow, 10 o'clock.

THURSDAY, JANUARY 9th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

W. WARD gave notice, that on a future day, he will ask leave to introduce a Bill to Incorporate the Tallahassee Rail Road Company.

Mr. CHANDLER gave notice, that he will on some future day, ask leave to introduce a Bill to be entitled an act Regulating the Pilotage at the Port of Key West, and for other purposes.

Mr. BLOUNT, from the Select Committee, to whom the same was referred, reported the Rules of the House, heretofore in force; with sundry amendments—which was read, and on his motion, adopted—and fifty copies ordered to be printed.

The following Standing Committees were appointed, by the President of the Council, viz:

The Judiciary—Messrs. Smith, Chandler and Gautier.
Militia.—Messrs. Priest, McKennon and Dupont.

Finance.—Messrs. Chandler, Robinson and Blount.
 Elections.—Messrs. Gautier, McKennon and Chandler.
 Claims.—Messrs. Riz, Priest and Forbes.

Schools and Colleges.—Messrs. Bird, Kirkland and Mooring.

State of the Territory.—Messrs. Ward, Bullock and Dupont.

Banks.—Messrs. Bullock, Forbes and Bird.

Agriculture.—Messrs. Robinson, Mooring & Kirkland.

Internal Improvements.—Messrs. Dupont, Blount, Gautier, Ward, Smith and Chandler.

Enrolled Bills.—Messrs. Blount, Bullock and Riz.

On motion of Mr. BLOUNT, fifty copies were ordered to be printed.

The following communications from his Excellency the Governor, were laid before the House by Mr. President, viz:

EXECUTIVE OFFICE, }
 TALLAHASSEE, 8th January, 1834. }

SIR—The act of last Session, entitled “An act more effectually to secure the solvency of all Banks in this Territory, and subject them to the payment of damages, if they fail or refuse to pay specie for their notes when demanded,” requires that each incorporated Bank shall make annual return on the first Monday in November in every year of the names of the Stockholders, the amount of Stock owned by each individual or company, and the amount of Money actually paid into the funds of each Bank on each share respectively, and forward the same to the Governor for the time being, to be laid before the Legislative Council at its first Session thereafter.

I have the honour to lay before the Council the return of the “Central Bank of Florida,” and of the “Bank of Florida,” and the return of the “Merchants and Planter’s Bank at Magnolia,” made in pursuance of law. No other return has been received from any other Bank in this Territory. The Bank of Pensacola has recently gone into operation, and it is not known that the act above mentioned affects it. The Bank of West Florida, incorporated in 1829 is, however, within its provisions, but the officers of that Bank have not complied with them. They have not made the report necessary to ascertain the tax due to the Territory by law for the years 1832 and 1833. In 1832, the sum of 220 dollars was forwarded to the Treasurer of the Territory, by its then officers with a loose memorandum, stating it to be the amount due for tax, but no proper statement was made, or regular data furnished thereof by them. The Treasurer considered it

the best course to receive the amount tendered, as being probably so much saved to the Treasury as is stated in the enclosed communication from him.

The fact notorious throughout the Territory, that the Bank of West Florida has several months since suspended specie payment, and the fact now communicated to the Council, that the officers of the Bank, if there are any, have disregarded the obligations imposed upon them by their charter and the laws of this Territory, constrain one to call upon the Legislature to adopt proper measures for the preservation of the credit and reputation of our Territory from further injury, and for the protection of the rights and interests of the holders of the notes of the Bank and other creditors. What those measures should be, I refer to the wisdom of the Council to decide. My co-operation in the most summary, that the power of the Legislature will justify, will be cordially rendered.

I am, Sir, respectfully, your obedient servant.

WM. P. DUVAL,
 Hon. JOHN WARREN, President of the Council.

EXECUTIVE OFFICE, }
 TALLAHASSEE, 9th January, 1834. }

SIR—Since writing the communication addressed to the House on yesterday, respecting the Banks of this Territory, the enclosed report has been received from the Bank of Pensacola.

I have the honour to be, Sir, very respectfully, your obedient servant.

By the Governor,
 J. D. WESTCOTT, Jr.
 Secretary of the Territory.

Hon. JOHN WARREN.

Which being read, on motion of Mr. GAUTIER, were, with their several exhibits, referred to the Committee on Banks.

On motion of Mr. BLOUNT, the House then adjourned until to-morrow morning, at 11 o’clock.

FRIDAY, JANUARY 10th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday’s proceedings was read.

Mr. GAUTIER gave notice, that he will on some future day, ask leave to introduce a bill to be entitled an act concerning Executions.

On motion of Mr. GAUTIER—Ordered, That so much of the Governor’s Message, as relates to the law, prescribing the mode of electing, and returning the persons

voted for as Members of the Legislative Council, be referred to the Committee on Elections.

That so much thereof as relates to Patrols be referred to the Committee on the Militia.

That so much thereof as relates to our Criminal Laws, be referred to the Committee on the Judiciary.

That so much thereof as relates to the Lands reserved for Common Schools, be referred to the Committee on Schools and Colleges.

That so much thereof as relates to Agriculture, be referred to the Committee on Agriculture.

That so much thereof, as refers to Navigation, Roads and Canals, be referred to the Committee on Internal Improvements.

Mr. DUPONT gave notice, that he will at some early day of the Session, ask leave to introduce a Bill, to be entitled an act, to repeal an act, entitled an act to provide for the collection of Judgments against free negroes, and other persons therein named.

Mr. ROBINSON gave notice, that he will, on some future day, introduce a bill to be entitled "an act relating to Roads, Bridges, Highways," &c.

Mr. BULLOCK gave notice, that he will, on some future day, ask leave to introduce a Bill to provide for the more summary punishment of petty Criminal offences.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a Bill to Incorporate the Tallahassee Rail Road Company—which was read the first time by its title, and on his motion, referred to the Committee on Internal Improvements.

Mr. BULLOCK offered the follow Resolution :

"Resolved, That the Enrolling and Engrossing Clerks be required to furnish the Printer with a copy of the Minutes for publication, for which they shall be paid out of the present appropriation made by Congress for defraying the expenses of this Legislative Council, as for other Engrossing.

The President laid before the Legislative Council, a communication from Turbutt R. Betton, Commissioner of Tallahassee, containing an account of the transactions in that office—which was, on motion of Mr. WARD, referred to the Committee on Finance.

On motion of Mr. GAUTIER, the House then adjourned until to-morrow morning, 11 o'clock.

SATURDAY, JANUARY 11th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

On motion of Mr. FORBES, JOS. B. LANCASTER was sworn as Chief Clerk; J. BRYANT, Jr. as Sergeant-at-Arms; and J. G. TYNER as Door Keeper, in conformity with the 37th Rule of the House.

Mr. President laid before the Council a communication from his Excellency Governor DUVAL, in the words following :

EXECUTIVE OFFICE,

JANUARY 10th, 1834.

TO THE PRESIDENT OF THE LEGISLATIVE COUNCIL :

Sir—I have been requested, and now nominate JOHN JERRISON, Senr. of Pensacola, as Notary Public—his services are desired by the Bank in that city.

I am respectfully, your obedient servant,

WM. P. DUVAL.

(Agreed to and advised.)

Which was read, and on motion of Mr. FORBES, the House went into secret session on the nomination therein contained.

The Legislative Council having under consideration, the nomination of JOHN JERRISON, Senr. as Notary Public for the City of Pensacola, read by his Excellency the Governor, do consent to and advise the same—when the door was again opened.

Mr. WARD gave notice, that on a future day, he will ask leave to bring in a Bill, to be entitled "an act to authorize Richard and Noel Stafford, to sell and dispose of the real estate of Ellis Stafford, deceased."

Mr. PRIEST laid before the House, the Petition of Augustus Steele and others; praying for a new County to be taken from the South part of Alachua County, and for other purposes—which was read, and on motion of Mr. BLOUNT, referred to the Committee on the State of the Territory.

Mr. RIZ offered the following Resolution :

Resolved, That a Select Committee be appointed to receive proposals, and make a contract for Printing the Laws of the present Session of this Council, and such other miscellaneous Printing as may be ordered by the House—provided the terms shall appear reasonable to said Committee: Otherwise to report to this House—which was read, and on his motion adopted, Messrs. Riz, Blount and Robinson, were appointed on that committee.

The Resolution offered on yesterday, by Mr. BULLOCK, was taken up from the orders of the day, and on his motion, leave was given to withdraw the same.

Mr. President laid before the Council a communication

from his Excellency the Governor, enclosing the Report of the Auditor, as follows:

TALLAHASSEE, JANUARY 9th, 1834.

THE PRESIDENT OF THE LEGISLATIVE COUNCIL:

Sir—I have the honour to lay before your body, the Report of the Auditor, shewing the amount claimed by the Treasury, of certain individuals therein named, and the course he has pursued in the collection of the claims. I am, respectfully, your obedient servant,

WM. P. DUVAL.

Which was read; and the said Report of the Auditor was, on motion of Mr. BLOUNT, referred to the Committee on Finance.

On motion of Mr. PRIEST, the House then adjourned until Monday next, at eleven o'clock, A. M.

MONDAY, JANUARY 13th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of Saturday's proceedings was read.

Mr. WARD gave notice, that on a future day, he will ask leave to introduce a Bill, to be entitled an act regulating Attachments.

Mr. GAUTIER from the Committee on Elections, gives notice, that at an early day, he will ask leave to introduce a Bill to be entitled an act to provide for the election of certain officers in this Territory.

Mr. CHANDLER gives notice, that he will to-morrow, ask leave to introduce a Bill to be entitled, an act to change the name of Louisa Waggonholst, to Louisa Browne.

Mr. FORBES gives notice, that he shall, upon a future day, ask leave to introduce a Bill, to be entitled, an act regulating the introduction and removal of Slaves from the Territory of Florida.

Mr. DUPONT gives notice, that he will, at some future day, ask leave to introduce the following Bills, to wit:—A bill to be entitled an act in relation to Indorsers of Promissory Notes and other sureties; and a bill to be entitled an act in relation to liens created by Judgments.

Mr. GAUTIER, pursuant to previous notice, asked and obtained leave to introduce a bill to be entitled an act, amendatory to an act, concerning Executions—which was read, and on his motion, referred to the Committee on the Judiciary.

On motion of Mr. BULLOCK, Mr. BLOUNT is added to the Committee on Banks.

Mr. RIZ presented an extract from the presentments of the Grand Jury for the Counties of St. John's and Mosquito—which was read, and on his motion, referred to the committee on the Judiciary.

Mr. WARD presented the petition of Mary P. Harker, praying a divorce—which was read, and on his motion, with its exhibits, referred to a Select Committee—Messrs. Ward, Bullock and Dupont, were appointed.

Mr. GAUTIER presented a petition in favour of James Caraway, for a Ferry at Ocheesee, on the Appalachicola river—which was, on his motion, referred to the committee on the State of the Territory.

Mr. McKENNON presented a petition of N. H. Mitchell and other citizens of Walton County, praying a repeal of the law imposing Territorial Taxes, and for other purposes therein expressed—which was read, and on his motion, so much thereof as relates to the subject of taxation was referred to the committee on Finance.

Mr. GAUTIER offered the following Resolution:

Resolved, That the committee on Finance be directed to enquire into the expediency of abolishing the Territorial taxes, and of conferring upon the County Court of each County, the right to impose such tax as may be necessary for its current expenditure, and for the apprehension and punishment of criminals—which was read, and on his motion adopted.

On motion of Mr. SMITH, the House then adjourned until to-morrow morning at 11 o'clock.

TUESDAY, JAN 14th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. DUPONT, pursuant to previous notice, asked and obtained leave to introduce a bill, to be entitled an act to repeal an act entitled an act to provide for the collection of Judgments against free negroes and other persons therein named—which was read the first time, and on his motion, made the order of the day for to-morrow; and eighteen copies are ordered to be written.

Mr. CHANDLER, pursuant to previous notice, asked and obtained leave to introduce a bill, to be entitled "an act to change the name of a certain person therein mentioned"—which was read the first time. when on his motion, the Rule of the House was waived—the said bill was read a second and third time by its title and passed—Ordered that the title be as before stated.

Mr. ROBINSON, pursuant to previous notice, asked and obtained leave to introduce a bill to be entitled an act

concerning Roads, Highways and Bridges, &c.—which was read the first time, and on motion of Mr. BLOUNT, referred to the committee on Internal Improvements.

Mr. WARD gave notice, that he will, on a future day, ask leave to introduce a bill, to be entitled an act authorising Samuel Y. Garey to erect a Bridge over Black creek in Duval County.

Also, that he will, on a future day, ask leave to introduce a bill, to be entitled an act to alter and amend an act to authorise the County Courts of this Territory to appoint Inspectors of Beef in their respective Counties.

Mr. KIRKLAND gave notice, that he will, on some future day, ask leave to introduce a bill to change the name of Martha Higginbotham, to that of Martha Cros

On motion of Mr. CHANDLER, Mr. WARD added to the committee on Finance.

Mr. FORBES offered the following Resolution:

Resolved, That the Secretary of the Territory be requested to furnish each Member of the Council with a copy of all the Laws of the Territory now in force—which was read and on his motion adopted.

Mr. CHANDLER offered the following Resolution:—

Resolved, That the committee on Finance be, and they are hereby authorised to employ, if necessary, a Clerk for their body, who shall be paid in like manner as the other Clerks of this House—which was read, and on his motion adopted.

Mr. WARD, from the committee on the State of the Territory—to whom had been referred the petition of H. Hannum and others, made the following report, to wit:

The Committee on the State of the Territory, to whom was referred the petition of Henry Hannum and others, relative to a Ferry on the Appalachicola river, beg leave to

REPORT:

That they have considered the same, and are of opinion, that the prayer of the petitioners is reasonable and should be granted. At the same time, as the object of the said petition is local, and as the "limitations and restrictions" prayed for in the same, must of course be better known to the honourable gentleman representing the County, where the said petitioners reside, than to your Committee; they respectfully suggest, that a bill upon the subject will more properly originate with those gentlemen than your Committee. They, therefore pray to be discharged from the further consideration of the same.

Respectfully submitted,

GEO. T. WARD, Chairman

January 14th, 1834.

Which was read, and on motion of Mr. BLOUNT, concurred in by the House.

Mr. WARD, from the Select Committee, to whom was referred the petition of Mary P. Harker, praying a divorce, reported a bill to be entitled an act for the relief of Mary P. Harker—which was read the first time, and made the order of the day for to-morrow.

On motion of Mr. BLOUNT, the House adjourned until to-morrow, 11 o'clock, A. M.

WEDNESDAY, JANUARY 15th 1834.

The House met pursuant to adjournment, a quorum being present the journal of yesterday's proceedings was read.

Mr. GAUTIER from the Committee on Elections, reported a bill to be entitled "An act to provide for the Election of certain officers in this Territory;" which was read the first time by its title, and made the order of the day for Friday—and eighteen copies are ordered.

Mr. DUPONT pursuant to previous notice, asked and obtained leave to introduce a bill, entitled, "An act in relation to liens created by judgments"—which was read the first time, and on motion of Mr. BLOUNT, referred to the Judiciary Committee.

Mr. GAUTIER, presented the petition of Washington Toney, and others, citizens of Fayette county, praying to be reannexed to Jackson County, and for other purposes therein expressed—which on his motion was referred to the Committee on the State of the Territory, with directions to said Committee, to report upon the right of this Council to annul the acts heretofore passed, organizing the County of Fayette.

Mr. ROBINSON gave notice that he will on some future day, introduce a bill to be entitled "An act to incorporate the town of Chattahoochie in Gadsden County."

Mr. DUPONT from the Committee on Internal Improvements, to whom the same had been referred, reported a bill to be entitled "An act to incorporate the Tallahassee Rail Road Company"—without amendment, which was made the order of the day for Monday next—and eighteen copies are ordered.

Mr. WARD offered the following resolution:—

Resolved, That the Committee on Finance be instructed to enquire into the state of forwardness, in which the compilation of the Laws, authorized by an act of this House in 1831, is at this time, and also to enquire how far the appropriation of Congress, for the said compilation has been disbursed, which was read and on his motion adopted.

A bill to be entitled, An act to repeal an act, to provide for the collection of judgments against free negroes, and other persons therein named, was taken up from the orders of the day, and read a second time; and ordered to be engrossed and read a third time on to-morrow.

A bill to be entitled "An act for the relief of Mary P. Harker," was taken from the orders of the day, and read a second time, when on motion of Mr. GAUTIER, the House went into a Committee of the whole thereon,—after some time spent therein, the Committee arose, and Mr. GAUTIER, therefrom reported

said bill with amendments, which were concurred in by the House; and said bill is ordered to be engrossed for a third reading on to-morrow.

Mr. PRESIDENT laid before the Council, a report and account current of Charles Austin, Territorial Treasurer of Florida,—which on motion of Mr. BLOUNT, is referred to the Committee on Finance.

On motion of Mr. BULLOCK, the house then adjourned until to-morrow 11 o'clock.

THURSDAY, JANUARY 16th 1834.

The House met pursuant to adjournment, a quorum being present the journal of yesterday's proceedings was read.

Mr. GAUTIER pursuant to the report of the committee on the state of the Territory, on that subject introduced a bill entitled "An act to authorize James Caraway to establish a ferry at Ochee, on the Appalachicola river"—which was read the first time, and made the order of the day for to-morrow.

Mr. FORBES gave notice that upon a future day, he will ask leave to introduce a bill entitled, An act authorising James Kennedy to keep a ferry across the Cold Water, where the road leading from Florida town to Tallahassee crosses said creek.

Mr. WARD gave notice that on to-morrow he will ask leave to introduce a bill to be entitled "An act for the relief of Romeo Lewis.

Mr. BULLOCK offered the following resolution:

Resolved by the Governor and Legislative Council of the Territory of Florida; That the Delegate in Congress, be requested to procure if possible, the passage of an act granting an additional member to the Legislative Council, from the County of Franklin, which was read, and on his motion adopted.

Mr. CHANDLER offered a preamble and resolution, which was read, and on motion of Mr. SMITH laid on the table.

Mr. SMITH offered the following resolution:

Resolved by the Legislative Council, That all resolutions hereafter presented to this House, shall lie on the table one day, before any vote shall be taken on the adoption of the same, unless by unanimous consent of the house, this rule be waived—which was read and adopted.

Mr. BIRD presented the following resolution:

Resolved, That the Delegate in Congress be requested to procure the passage of an act, giving to the county of Jefferson, an additional member in the Legislative Council—which was read, and laid on the table until to-morrow.

An engrossed bill entitled "An act to repeal an act, entitled an act to provide for the collection of judgments against free negroes, and other persons therein named"—was taken up from the orders of the day, and read a third time;—upon the question shall this bill become a law, the yeas and nays were called by Messrs. GAUTIER & BULLOCK,—yeas Mr. President, Messrs. Bird, Blount, DuPont, Forbes, McKennon, Mooring, Priest, Riz, Robinson and Ward, 11—Nays Messrs. Bullock, Gautier and Kirkland, 3—so the said bill was passed; Ordered that the title be as before stated.

An engrossed bill entitled "An act for the relief of Mary P.

Harker," was read a third time and passed: ordered that the title be as before stated.

Mr. PRESIDENT laid before the Council a communication from his Excellency the Governor, as follows:

EXECUTIVE OFFICE,

JANUARY 13th, 1834.

To the President of the Legislative Council:

SIR—I regret, that in my Message to the Legislative Council, at the opening of the session, a notice of the improvements at St. Augustine, so essential to the prosperity of that city, and authorised by an act of Congress, was inadvertently omitted. They are of so much importance, that I have thought it advisable to bring the subject specially before you to-day. An appropriation of 20,000 Dollars was made by the General Government, for the purpose of rebuilding the Sea wall in front of the City of St. Augustine, and for repairing Fort St. Marks of the same place. These works are under the superintendence of Lieut. TURTLE of the Engineer Corps, an officer of reputation and talent; and preparations for their prosecution are in a state of great forwardness, but an additional appropriation is deemed indispensable for their completion, which I recommend to the Legislature to urge upon the attention of Congress. St. Augustine is liable in case of severe storms from the sea, to great injury and destruction. It has already swept over part of the buildings in that City, and its encroachments, in consequence of the delapidated and insufficient state of the old sea wall, have, within a few years past, been alarming. The increased value which will be imparted to the Public Lands in East Florida, and especially the Public Property in St. Augustine by the contemplated improvement, offers considerations, which will, no doubt, influence the National Legislature to make further appropriations necessary to complete it. The City of St. Augustine is believed to be the first town established within the present limits of the United States after the discovery of America by Columbus. Its ancient and venerable walls—its Gothic architecture—its vine-mantled battlements and stone structures, present themselves to the eye of the traveller in beautiful contrast with the recently reared villages and cities of other sections of our Territory. The preservation of this City is highly important to other portions of the United States, as a desirable point for a Public Seminary; and from the salubrity of the atmosphere, and healthiness of situation, and the facility of access to it from the North and the South, it must eventually be appreciated as it justly deserves. St. Augustine will be looked to by the invalid and those who seek to escape from the destructive diseases of a northern winter, as an abode delightful for the beauty of its scenery and mild sweetness of its climate.

I am respectfully, your obedient servant,

WILLIAM P. DUVAL.

Which was read and on motion of Mr. WARD, referred to the committee on Internal Improvements, and on motion of Mr. RIZ, 500 copies are ordered to be printed.

Mr. PRESIDENT laid before the Council the report of *Thos. Brown, Esqr.*, Auditor of the Territory of Florida, accompanied with sundry vouchers, &c., which on motion of Mr. BLOUNT are referred to the committee on Finance.

On motion of Mr. BLOUNT the house adjourned until to-morrow 11 o'clock.

FRIDAY, JAN. 17th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. DUPONT gave notice, that he will, on a future day, ask leave to introduce a bill to alter and amend the Fee Bill.

Mr. CHANDLER gave notice, that he will to-morrow, ask leave to introduce a bill to define the boundadries of Monroe County.

Mr. ROBINSON asked and obtained leave pursuant to notice heretofore given, to introduce a bill, entitled "An Act to incorporate the Town of Chatahoochie, in Gadsden County"—which was read the first time by its title, and 18 copies are ordered to be written.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to authorize Samuel Y. Garey to build a Bridge over the North prong of Black Creek, in Duval County, at or near his ferry—which was read the first time by its title, and made the order of the day for to-morrow.

Also, a bill, entitled "An Act for the relief of Romeo Levin, which was read the first time by its title, and referred to the Committee on Claims.

Mr. WARD gave notice, that he will, on to-morrow, ask leave to introduce a bill, to be entitled "An Act concerning the authentication of conveyances."

Mr. FORBES, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to authorize James Kennedy to establish a ferry over Cold Water, where the road leading from Florida-Town to Tallahassee crosses said Creek"—which was read the first time by its title, and on motion of Mr. FORBES, made the order of the day for Monday next.

A bill, entitled "An Act to provide for the Election of certain Officers in this Territory," from the orders of the day, was, on motion of Mr. GAUTIER, postponed, and made the order of the day for Thursday next.

A bill, entitled "An Act to authorize James Caraway to establish a Ferry at Ocheesee on the Appalachicola River"—was read a second time—when the House resolved itself into Committee on said bill; after some time the Committee arose, and Mr. WARD therefrom, reported progress, and asked leave to sit again; which was concurred in by the House.

On motion of Mr. CHANDLER, leave is given him to withdraw the preamble and resolutions, which he presented to the House on yesterday.

The Resolution offered on yesterday by Mr. BIRD, was taken up from the orders of the day—and on motion of Mr. GAUTIER, together with a substitute therefor, and sundry amendments, ordered to be postponed until Thursday next.

Mr. President laid before the Council the following communication from his Excellency the Governor:

EXECUTIVE OFFICE.
TALLAHASSEE, January 17th 1834.

SIR:—I nominate for FRANKLIN COUNTY—
Jno. G. Ruan, H. Hanley, W. Cromwell, E. J. Wood & C. Raymond; as Port Wardens.
J. E. Dean, Chester Sully & E. G. Wood; as Auctioneers.
William Laprade, William S. Paullin; as Inspectors of Lunatic.
Samuel D. Robinson, William Laprade; Justice of the Peace.

FOR LEON COUNTY—
Willis Alston; Appraiser of the Union Bank, vice, *H. W. Braden, resigned.*
George W. Philips, Esq., of Boston, Mass.; Commissioner to take acknowledgments of deeds in said State.

Respectfully your ob't servant, WM. P. DUVAL.

To the President of the Legislative Council.

Whereupon, on motion of Mr. BULLOCK, the House went into secret session on the nominations therein contained, and do advise and consent to the same.—The door being again opened.

On motion of Mr. BLOUNT, the House adjourned until to-morrow at 11 o'clock.

SATURDAY, JAN. 18th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. President laid before the Council the resignation of H. K. McClintock, one of the Engrossing and Enrolling Clerks of this House; and thereupon, by leave of the House, the following Resolution was offered by Mr. SMITH:—

Resolved, That the resignation of Mr. McClintock, one of the Engrossing and Enrolling Clerks of this Legislative Council, be accepted, and that Mr. Segui be appointed in his place—which was read.

On motion of Mr. SMITH, the rule of the House, requiring said Resolution to lie on the table one day, was unanimously waived, and the said resolution was put on its passage and passed.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, to be entitled "An Act concerning the authentication of Conveyances"—which was read the first time and made the order of the day for Tuesday next, and 18 copies are ordered to be written.

Mr. CHANDLER, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to define the extent of Monroe County"—which was read the first time, and made the order of the day for Monday next.

Mr. FORBES, pursuant to previous notice, asked and

obtained leave to introduce a bill, entitled "An Act regulating the introduction and removal of slaves from the Territory of Florida"—which was read the first time, and referred to the committee on the State of the Territory, and 18 copies are ordered to be written.

Mr. WARD, from the committee on the State of the Territory, to whom was referred the petition of Augustus Steele and others, reported a bill, entitled "An Act to organize a County to be called Hillsborough, and for other purposes"—which was read the first time and made the order of the day for Tuesday next, and 18 copies are ordered to be written.

Mr. WARD, from the committee on the State of the Territory, made the following Report:

The Committee on the State of the Territory, to whom was referred the petition of Washington Toney and others, beg leave to

REPORT:

That, in conformity with the instructions of the House, they have had the same under consideration, with reference to the power of this Council to re-annex the County of Fayette to that of Jackson; and are of opinion, that the Council clearly possesses such power. From the several acts establishing a Territorial Government in Florida, the power is derived of establishing Counties and of altering and remodelling their limits. This power, of course, carries with it the concomitant right of abolishing a County once created; for otherwise, it might be contended that the limits of a County might be altered so as to leave it only a single acre of Territory, but not to take away its name and corporate existence, which would be absurd.

Again—the power of a present Legislative body to repeal or annul the acts of a former, is a truism in legislation, from which are only excepted cases in which rights have become vested under any such acts. This exception, however, cannot apply to the case in point, as the individuals, whose rights alone would be affected by a repeal of the act, creating them a County themselves, pray for such a repeal. This view of the subject, however, must be observed, is predicated upon the presumed fact, that the petitioners constitute the body of the County of Fayette.

The Legislative powers of this Council, over all subjects in which the right to legislate has been imparted by the organic acts above referred to, are believed by your Committee to be co-extensive with those of the States within their respective limits; and by a reference to the Statute Books of Georgia and of others of the States, it will be perceived that the power now inquired of is daily exercised by the Legislatures of those States.

With this view of the subject and at the instance of the Representatives of Jackson and Fayette, your Committee report a bill, to be entitled "An Act to repeal certain acts organizing the County of Fayette.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which said bill was read the first time and made the order of the day for Monday next, and 18 copies are ordered to be written.

A bill, entitled "An Act to authorise Samuel Y. Garey to build a Bridge over the North prong of Black creek in Duval County"—was read the second time; the House went into committee on said bill—Mr. CHANDLER from said committee, reported the bill without amendment, which was concurred in by the House—whereupon the rule of the House being waived, the said bill was read a third time and passed. Ordered that the title be as before stated.

On motion of Mr. BULLOCH, the House then adjourned until Monday 12 o'clock.

MONDAY, JAN. 20th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of Saturday's proceedings was read.

Mr. THOMAS JEFFERSON GREEN, a member elect from Leon County appeared, and on motion of Mr. CHANDLER, was duly qualified and took his seat.

Mr. BIRD gave notice, that he will, on some future day, ask leave to introduce a bill, to be entitled "An Act concerning School Lands.

Mr. WARD gave notice, that on a future day, he will ask leave to introduce a bill, to be entitled "An Act giving a lien to Mechanics in certain cases."

On motion of Mr. WARD, Mr. GREEN is added to the committee on Internal Improvements, the committee on Banks, and the committee on the State of the Territory.

Mr. CHANDLER gave notice, that he will on to-morrow, ask leave to introduce a bill, to be entitled "An Act to incorporate a Marine Railway at Key West.

Also, that he will on Wednesday next, ask leave to introduce a bill, to be entitled "An Act amendatory of an Act, entitled an Act for the relief of Benjamin G. Thornton and Jesse H. Willis."

Mr. CHANDLER presented the petition of Amelia Ann Pindar, praying a divorce—which was read, and on motion, referred to a Select Committee—Messrs. Chandler, Blount and Gautier, were appointed.

Mr. CHANDLER presented a Resolution, as follows:

Resolved, That the committee on the Judiciary, be instructed to inquire into the expediency of revising the present Criminal Statutes of the Territory of Florida, and to report by bill or otherwise—which was read and laid on the table until to-morrow.

Mr. RIZ, from the committee on Claims, to whom the same had been referred—reported without amendment;—a bill, entitled “An Act for the relief of Romeo Lewis”—which was read the second time; when on motion of Mr. SMITH, the House went into committee thereon—Mr. GAUTIER therefrom reported said bill with amendments; which were concurred in by the House, when the rule was waived; the said bill was read the third time by its title and passed. Ordered that the title be as before stated.

Mr. BLOUNT, from the committee on Enrolled Bills, reported as correctly Enrolled.

“An Act to change the name of a certain person therein named.”

“An Act to repeal an Act, entitled ‘An Act to provide for the collection of Judgments against free negroes and other persons therein named.’” And

“An Act for the relief of Mary P. Harker.”

A bill, entitled “An Act to authorize James Kennedy to establish a Ferry over Cold Water, where the road leading from Florida-Town to Tallahassee crosses said creek”—was read the second time, when the House went into Committee thereon—Mr. ROBINSON therefrom reported said bill as amended, which was concurred in by the House: The rule of the House being waived, the said bill was read a third time by its title and passed—Ordered that the title be as before stated.

A bill, entitled “An Act to Incorporate the Town of Chatahoochie in Gadsden County,” was read the second time; when on motion of Mr. BULLOCH, the House went into committee thereon—Mr. SMITH, from said committee, reported the bill without amendment, which was concurred in by the House; the rule of the House being waived, the said bill was read a third time and passed. Ordered that the title be as before stated.

A bill, to be entitled “An Act to define the extent of Monroe County, was taken up from the orders of the day, and on motion of Mr. CHANDLER, postponed and made the order of the day for Friday next.

A bill, entitled “An Act to repeal certain Acts organizing the County of Fayette,” was read a second time, when the House went into Committee thereon—Mr. RIZ, from said committee, reported said bill with amendments, which were concurred in by the House, when the rule

the House was waived, the said bill was read a third time by its title and passed. Ordered that the title be as before stated.

The House, on motion of Mr. GAUTIER, then adjourned until to-morrow 11 o'clock.

TUESDAY, JANUARY 21st, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. GAUTIER gave notice, that he will, on some future day, ask leave to introduce a bill, to be entitled “An Act to amend an Act entitled an Act to regulate the foreclosure of Mortgages by the Courts of Common Law of this Territory, and for other purposes.”

Also, a bill to be entitled “An Act for the trial and punishment of Slaves, and free people of colour.

Mr. FORBES gave notice, that upon a future day, he shall ask leave to introduce a bill, to be entitled “An Act declaring Juniper Creek, in the County of Escambia, a navigable stream.”

Also, a bill to be entitled “An Act in relation to ‘a drift rafted Lumber.’”

Mr. BIRD gave notice, that he will on some future day, ask leave to introduce a bill, to be entitled “An Act to impose a fine on all persons exhibiting wax-figures and shows of all kinds.”

Mr. RIZ gave notice, that he will on to-morrow, ask leave to introduce a bill, to be entitled “An Act to authorize Nehemiah Brush to establish a Ferry across St. John's River, at a place called Palatka.”

Mr. MOORING presented the petition of H. D. Stone, praying for a divorce—which was referred to a Select Committee—Messrs. Mooring, Robinson and Priest were appointed.

Mr. FORBES presented a Resolution, which was read, and pursuant to rule, laid on the table until to-morrow.

Mr. GAUTIER presented a Preamble and Resolution—which was read and laid on the table until to-morrow.

Mr. SMITH presented a Preamble and Resolutions—which were read and laid on the table until to-morrow.

Mr. BLOUNT, from the committee on Enrolled Bills—reported as correctly Enrolled.

“An Act for the relief of Romeo Lewis.”

“An Act to Incorporate the Town of Chatahoochie in Gadsden County.”

“An Act to repeal certain Acts, organizing the County of Fayette.”

“An Act to authorize Samuel Y. Garey to build a Bridge over the North prong of Black creek, in Duval County.”

A bill to be entitled "An Act to organize a County to be called Hillsborough, and for other purposes"—was read a second time, when the House went into committee thereon: Mr. BIRD from said committee, reported said bill with amendments, which were concurred in by the House; and the said bill is ordered to be engrossed for a third reading on to-morrow.

Mr. CHANDLER offered on yesterday the following Resolution:—

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of revising the present Criminal Statutes of the Territory of Florida, and to report by bill or otherwise.—Which was on his motion adopted.

A bill entitled "An Act concerning the authentication of Conveyances"—was read a second time; the House resolved itself into Committee of the Whole thereon—Mr. BLOUNT from said committee, reported the bill without amendments—which was concurred in by the House; the rule of the House being waived, the said bill was read a third time by its title and put on its passage. The yeas and nays being called by Messrs. CHANDLER and GAUTIER, were as follows:—Yeas, Mr. President, Messrs. Bird, Blount, Bullock, Green, Kirkland, McKennon, Mooring, Priest, Robinson & Smith, 11.—Nays, Messrs. Chandler, Forbes, Gautier and Riz, 4. So the said bill is passed—Ordered that the title be as before stated.

On motion of Mr. PRIEST, the House adjourned until to-morrow eleven o'clock.

WEDNESDAY, JANUARY 22d, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. Riz, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to authorise Nehemiah Brush to establish a Ferry across St. John's river, at a place called Palatka—which was read and made the order of the day for a second reading on to-morrow.

Mr. SMITH moved to reconsider the vote taken on the final passage of the bill, entitled "An Act concerning the authentication of Conveyances,"—with a view to amend the same, which motion prevailed; and said bill is ordered to be reconsidered, and made the order of the day for to-day.

Mr. BLOUNT gave notice, that he will on some future day, ask leave to introduce a bill, to Incorporate the Trustees of the College of Pensacola.

Mr. FORBES, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act in relation to rafted Lumber adrift,"—which was read and made the order of the day for a second reading on to-morrow.

Mr. PRIEST, in pursuance of notice heretofore given by Mr. KIRKLAND, asked and obtained leave to introduce a bill, to be entitled "An Act to change the name of Martha Higginbotham, to that of Martha Crozier,"—which was read and made the order of the day for a second reading to-morrow.

Mr. WARD gave notice, that he will on some future day, ask leave to introduce a bill, to establish a Ferry across the South prong of Black creek, at or near Whitesville in Duval County.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to authorise the County Courts in this Territory to appoint Inspectors of Beef in their respective Counties—which was read the first time, and 18 copies are ordered to be written.

Mr. GAUTIER, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to amend an Act, to regulate the Foreclosure of Mortgages by the Courts of Common Law of this Territory, and for other purposes"—which was read, and 18 copies are ordered to be written.

Mr. BIRD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act, to impose a Tax on the proprietors or exhibitors of Circusses and other shews for amusement in the Territory of Florida"—which was read the first time and made the order of the day for to-morrow, and 18 copies are ordered to be written.

Mr. ROBINSON presented the petition of Edward Barnwell, praying to be allowed the privileges of an American citizen—which was read and referred to the committee on the Judiciary.

Mr. BULLOCK presented the petition of John Carlisle and others, citizens of Washington county, praying the abolition of Territorial Taxes, and other purposes—which was read, and on motion of Mr. BULLOCK, so much thereof as refers to the subject of Territorial Taxes was referred to the committee on Finance.

Mr. GREEN presented the petition of Benjamin W. Gause, Ex'r.; and another, praying to be authorised to sell certain lands therein specified—which was read, and on his motion, referred to the Judiciary Committee.

Mr. BLOUNT presented the petition of the President, Directors and Stockholders of the Bank of Pensacola, praying an alteration in their charter—which was referred to the committee on Banks.

Mr. GREEN presented a Resolution--which was read and laid on the table until to-morrow.

Mr. BLOUNT offered a Resolution--which was read and laid on the table until to-morrow.

Mr. RIZ offered a Preamble and Resolutions--which were read and laid on the table until to-morrow.

Mr. BLOUNT, from the committee on Enrolled Bills, reported as correctly Enrolled, "An Act to authorize James Kennedy to establish a Ferry over Cold Water, where the road leading from Florida-Town to Tallahassee crosses said creek."

Mr. MOORING, from the Select Committee, to whom was referred the petition of H. D. Stone, made the following

REPORT:

The Select Committee, to whom was referred the petition of Henry D. Stone, praying a divorce from his wife Sarah N. Stone, have had the same under consideration; and from an examination of the petition and documents connected therewith, together with a knowledge of part of the facts alledged, have arrived at the conclusion that the prayer of said petitioner should be granted, and have reported a bill accordingly.

W. S. MOORING, Chairman.

A bill, entitled "An Act to dissolve the marriage contract between Henry D. Stone and Sarah N. Stone"--was read the first time.

Mr. President laid before the Council, a communication from his Excellency the Governor, as follows:

TALLAHASSEE, EXECUTIVE OFFICE,

JANUARY 22d, 1834.

To the President of the Legislative Council:

Sir--I have the honour to inform the Legislature, that I have approved, signed and filed in the Secretary's Office, the following Acts:

"An Act for the relief of Mary P. Harker."

"An Act to repeal an Act, entitled 'An Act to provide for the collection of Judgments against free negroes and other persons therein named.'" And,

"An Act to change the name of a certain person therein mentioned." Respectfully, your obedient servant,
Which was read.

WILLIAM P. DUVAL.

An Engrossed bill, entitled "An Act to organize a County to be called Hillsborough, and for other purposes"--was read the third time and passed--Ordered that the title be as before stated.

A bill, to be entitled "An Act to authorize James Caraway to establish a Ferry at Ocheesee, on the Appalachicola river"--was, on motion of Mr. GAUTIER, made the order of the day for Friday next.

Mr. FORBES on yesterday, offered a Resolution as follows:--

Resolved, That the committee on the Judiciary, be instructed to inquire into the expediency of passing a law for the benefit of Securities in certain cases:--Also, a law requiring Executors to give security for the faithful performance of their duties:--Also, a law regulating the distribution of the Estates of Insolvent Debtors; and to report by bill or otherwise--which was again read, and on his motion adopted.

The Preamble and Resolution offered by Mr. GAUTIER, was again read, and on motion of Mr. SMITH, laid on the table.

The Preamble and Resolution offered by Mr. SMITH on yesterday as follows:

Whereas, The repair and preservation of Fort St. Marks, valuable as that work must ever be to the defenses of East Florida in the event of war, and interesting as a specimen of military fortification, in its style and architecture more perfect than any other in the United States; should, as it has been, be deemed of National importance. And, whereas also, the re-construction and extension of the SEA-WALL, in front of the City of St. Augustine from Fort St. Marks to St. Francis' Barracks, are indispensable to the safety and protection of the City from severe storms, to which it is sometimes exposed, and from the constant inroads of the sea.

And Whereas, The appropriation already made by Congress to effect these objects, will prove, it is believed, insufficient for the purpose.

Therefore, be it Resolved, by this Legislative Council, That our Delegate in Congress be requested to use his best exertions to obtain additional and sufficient appropriations for the entire accomplishment of the above works.

Resolved further, That the foregoing Preamble and these Resolutions, together with the special Message of the Governor of this Territory, relating to the same subjects, be duly certified by the President and Clerk of this House, and forwarded to the said Delegate.

Was again read, and on his motion adopted.

The bill, entitled "An Act concerning the authentication of Conveyances"--was taken up from the orders of the day, when the House went into Committee thereon--Mr. BLOUNT, from said committee, reported the bill amended, which was concurred in by the House--The rule of the House being waived, the said bill was read a third time and put on its passage--The yeas and nays being called by Messrs. Chandler and Forbes, were as follows:--Yeas, Mr. President, Messrs. Bird, Blount, Bur-

loch, Dupont, Green, McKennon, Mooring, Priest, Riz, Robinson, Smith and Ward, 13. Nays, Messrs. Chandler, Forbes and Gautier, 3—So the said bill is passed—Ordered that the title be as before stated.

Mr. GAUTIER moved to reconsider the vote taken on the passage of the bill, entitled "An Act to repeal certain Acts organizing the county of Fayette," with a view to amend the same; which motion prevailed, and the said bill is ordered to be reconsidered—On motion of Mr. GAUTIER, the House went into Committee thereon—Mr. CHANDLER, from said committee, reported said bill with amendments, which report was concurred in by the House: The rule of the House being waived, the said bill was read a third time and passed—Ordered that the title be as before stated.

On motion of Mr. BULLOCH, the House adjourned until to-morrow, 11 o'clock.

THURSDAY, JANUARY 23d, 1834.

The House met pursuant to adjournment, a quorum being present the journal of yesterday's proceedings was read.

On motion of Mr. GAUTIER, the bill entitled "An Act to dissolve the marriage contract between Henry D. Stone and Sarah N. Stone," was placed among the orders of the day for to-morrow.

Mr. GREEN gave notice, that on to-morrow, he will ask leave to introduce a bill, to be entitled "An Act to establish a Board of Wardens for the Port of St. Marks."

Mr. DUPONT gave notice, that he will on to-morrow, ask leave to introduce a bill, to be entitled "An Act to authorize Sheriffs, and Clerks of County Courts to appoint deputies."

Mr. WARD gave notice, that he will on some future day, ask leave to introduce a bill, to alter and amend the law, establishing the rates of Pilotage for St. John's and Nassau rivers.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to establish a Ferry across the South prong of Black creek in Duval County—which was read and made the order of the day for a second reading on to-morrow.

Mr. DUPONT introduced a Resolution, which was read and laid on the table until to-morrow.

Mr. WARD, from the committee on the State of the Territory, to whom the same had been referred, reported on "A bill regulating the introduction and removal of Slaves from the Territory of Florida"—which report was laid on the table until Monday next.

A bill entitled "An Act to provide for the Election of certain Officers in this Territory"—was taken up from the orders of the day; and on motion of Mr. SMITH, postponed, and made the order of the day for Wednesday next.

A Resolution of Mr. BIRD, on the subject of representation heretofore postponed, and made the order of the day for to-day, was on motion of Mr. WARD, again postponed, and made the order of the day for Saturday, the 1st of February next.

A bill, entitled "An Act to impose a Tax on the proprietors or exhibitors of Circusses and other Shows for amusement in the Territory of Florida"—was read the second time, when the House went into Committee thereon—Mr. GREEN, from said Committee, reported the said bill with amendments, which was agreed to, and the said bill is ordered to be engrossed for a third reading on Tuesday next.

Mr. RIZ offered on yesterday the Preamble and Resolutions following:—

Whereas. It is a matter of general notoriety, that in the year 1812, Gen. Mathews, commander of a detachment of troops stationed in the Southern frontiers of the United States, made an irruption into the Eastern part of this Territory, at that time a Province of Spain: That by this invasion, many of the quiet and unoffending Spanish inhabitants, whose only crime was fidelity to their Government, were driven from their homes—their crops and groves destroyed—their slaves carried off or dispersed among the Indians—their plantations and houses pillaged. A great number of the settlers, many of them Americans by birth, were suddenly reduced from plenty and affluence, to penury and want; and an extensive portion of the country so entirely desolated, that a repose of twenty years has not been sufficient to restore it to its former opulence and prosperity.

And whereas also, It is a matter of history well remembered in Florida, that the Executive of the United States, some time after the occupation of the Province of East Florida, as above stated, formally and officially disavowed the authority of Gen. Mathews; alledging, that he had transcended his orders—but not however, till his position for many months had been established before the City of St. Augustine; and his despatches to his Government as the commander of the American forces, constantly dated from that place.

That at a period long subsequent, Mr. Archer, a distinguished member of Congress, then at the head of the Committee of Foreign Affairs, reported to that body, "That neither of the contingencies which had been considered as warranting intrusion into the Floridas, and in the contemplation of one or the other of which, the Act of Congress authorising the occupation had been passed, had actually occurred." So that from this brief recapitulation of facts admitted by the Government itself, it would appear that the claim of the sufferers to indemnification, as reported by the above Committee, was perfect: But even this view of the subject, strong as it unquestionably is, derives additional support from the Treaty of Cession; the ninth Article of which will not fairly admit of a construction rejecting these claims. Yet, notwithstanding the surest principles of Natural and National Justice emphatically call on our Government for remuneration; notwithstanding the encouragement given and the expectations warranted by the Treaty, and in despite of the persevering efforts of our faithful Delegate, relief has been constantly withheld from these impoverished and now almost despairing sufferers.

Be it therefore Resolved, By this Legislative Council, it being considered a solemn duty, earnestly to urge these most righteous claims upon the justice of our Government—that our De-

legate in Congress be requested to renew and continue his efforts to obtain the passage of a law, providing for their full and entire allowance, that it may no longer be a reproach on this subject; that the stipulations of the Treaty and the sacred claims of justice and humanity have been forgotten.

Be it further Resolved, That the above Preamble and Resolutions be duly certified by the President and Clerk of this House, and forward without delay to our Delegate in Congress.

Which were again read, and on his motion adopted.

Mr. BLOUNT offered on yesterday the following Resolution, to wit:—

Resolved, That the Committee on the Judiciary, inquire into the expediency of repealing or amending the Act regulating the rate of Interest—which was again read, and on his motion adopted.

Mr. GREEN offered on yesterday the following Resolution, to wit:—

Resolved, That the Committee on the State of the Territory, be instructed to take into consideration the propriety of submitting to the people of Florida, at the next Legislative Election, the question of *State or no State*; and that they report by bill or otherwise—which was again read, and on his motion adopted.

A bill, entitled “An Act to change the name of Martha Higginbotham to that of Martha Crozier”—was read a second time, and made the order of the day for to-morrow.

A bill, to be entitled “An Act in relation to rafted Lumber adrift”—was read the second time, the House went into Committee of the Whole thereon—Mr. DUPONT therefrom reported progress, and asked leave to sit again, which was concurred in by the House, and 18 copies are ordered to be written.

On motion of Mr. SMITH, the House then adjourned until to-morrow 11 o'clock.

FRIDAY, JAN. 24th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. GREEN gave notice, that he will on some future day, ask leave to introduce a bill, to be entitled “An Act to amend an Act, entitled an Act to incorporate the town of St. Marks.

Mr. WARD gave notice, that on some future day, he will ask leave to introduce a bill, “to incorporate the Tallahassee and Jacksonville Rail Road.”

Mr. DUPONT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled “An Act to authorize Sheriffs and Clerks of County Courts to appoint deputies”—which was read the first time, made an order of the day for Saturday, and 18 copies are ordered to be written.

Mr. GREEN, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled “An Act to establish a Board of Wardens for the Port of St. Marks—

which was read the first time, made an order of the day, for Monday next, and 18 copies are ordered to be written.

A bill, entitled “An Act to authorize Nehemiah Brush to establish a Ferry across St. John's river, at a place called Palatka”—was read the second time; the rule of the House being waived, the said bill was read the third time by its title and passed—Ordered that the title be as before stated.

A bill to incorporate the Tallahassee Rail Road Company—was read a second time by its title, when the House went into Committee of the Whole thereon—Mr. CHANDLER, from said committee reported progress, and asked leave to sit again, which was agreed to by the House.

A bill, entitled “An Act to authorize James Caraway to establish a Ferry at Ocheesee, on the Appalachicola river”—was postponed and made the order of the day for to-morrow.

A bill, entitled “An Act to dissolve the marriage contract between Henry D. Stone and Sarah N. Stone”—was read the second time, and ordered to be engrossed for a third reading on to-morrow.

A bill, entitled “An Act to establish a Ferry across the South prong of Black creek in Duval county”—was read the second time, the rule being waived, the said bill was read a third time by its title and passed—Ordered that the title be as aforesaid.

Mr. DUPONT on yesterday, introduced the following Resolution, to wit:—

Resolved, That the committee on the State of the Territory, be instructed to enquire into the expediency of revising the several Laws, defining the County boundaries, and that they have leave to report by bill or otherwise—which was again read, and on his motion adopted.

A bill, entitled “An Act to legitimate and change the name of Martha Higginbotham to that of Martha Crozier”—was read the third time and passed—Ordered that the title be as before stated.

Mr. President laid before the Council the following communication from his Excellency the Governor, viz:—

EXECUTIVE OFFICE,
January 24th, 1834.

To the President of the Legislative Council:

SIR—I have the honour to inform the Legislature, that on this day, I have approved, signed, and filed in the Secretary's Office, the following Acts:

“An Act to Incorporate the Town of Chattahoochee Gadsden county.”

"An Act for the relief of Romeo Lewis."

"An Act to authorize Samuel Y. Garey to build a Bridge over the North prong of Black creek in Duval county."—And

"An Act to authorize James Kennedy to establish a Ferry over Cold Water, where the road leading from Florida-Town to Tallahassee crosses said creek."

Respectfully your obt servant,

Which was read

WM. P. DUVAL.

On motion of Mr. FORBES, the House adjourned until to-morrow morning, 11 o'clock.

SATURDAY, JAN. 25th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

A bill, entitled "An Act to define the extent of Monroe county—was, on motion of Mr. CHANDLER, indefinitely postponed.

Mr. ROBINSON gave notice, that he will on a future day, ask leave to introduce a bill to be entitled "An Act to authorise the Trustees of Quincy Academy, to raise a certain amount of money by Lottery.

A bill, entitled "An Act to to authorise James Caraway to establish a Ferry at Ocheesee, on the Appalachicola river," was again taken up in Committee of the Whole—Mr. WARD therefrom reported said bill with amendments, which were concurred in by the House, and the said bill is ordered to be engrossed for a third reading on Monday next.

The vote passing the Act, entitled "An Act to organize a County to be called Hillsborough, and for other purposes,"—was on motion of Mr. WARD, reconsidered with a view to insert in the 6th section the word "seat" after the word County—The House unanimously agreeing to said amendment, it was made; the said bill was read a third time by its title and passed—Ordered that the title be as before stated.

Mr. WARD presented the petition of Jesse H. Willis; which was read and referred to a Select Committee—Messrs. Ward, Smith and Blount were appointed thereon.

Mr. GAUTIER presented the petition of Elizabeth Frances Thompson, praying to be divorced from her husband; which was read and referred to a Select Committee—Messrs. Gautier, Priest & Green were appointed thereon.

Mr. BLOUNT, from the committee on Enrolled Bills, reported as correctly Enrolled.

"An Act to repeal certain Acts, organizing the county of Fayette."

"An Act concerning the authentication of Convey

ances." And

"An Act to organize a County to be called Hillsborough, and for other purposes."

The House again went into committee on the bill entitled "An Act in relation to rafted Lumber admt"—Mr. DuPONT from said committee, reported progress and asked leave to sit again; whereupon, on motion of Mr. CHANDLER, the House disagreed to the report of the committee, and ordered the said bill to be referred to a Select Committee—Messrs. Forbes, Smith and Bulloch were appointed thereon.

The House again took under consideration in Committee of the Whole, the bill "to Incorporate the Tallahassee Rail Road Company"—After some time spent thereon, the Committee arose, and Mr. CHANDLER therefrom, reported progress and asked leave to sit again; which was concurred in by the House.

The following Message from his Excellency the Governor, was handed in by Mr. President and read, viz:—

TALLAHASSEE, EXECUTIVE OFFICE,

JANUARY 25th, 1834.

The President of the Legislative Council:

Sir—I have always held the opinion, that the choice of Chief Magistrate of right belonged to the People, and the best interest of the country requires that he should hold his trust directly from the freemen over whom he is to preside.

In the formation of our Territorial Government, immediately after the cession of Florida, the recognition of this principle would have been unwise if not impracticable.

Our increased population at this time, and its present condition, justify the conclusion, that the People of Florida would exercise this power with credit to themselves and advantage to the country.

Congress in its wisdom can frame the organic law, to secure the interests of the United States which may be confided to the Governor, and confer on the People of the Territory this desirable privilege.

Entertaining these views and principles, I deem it not improper to state to the Council, that any measure they may adopt to obtain this grant of power from Congress, will receive my approbation and cordial concurrence.

I am respectfully, your obedient servant,

WILLIAM P. DUVAL.

And thereupon on motion, referred to a Select Committee—Messrs. Blount, Smith, Robinson and Gautier were appointed thereon.

Also the following, viz:—

EXECUTIVE OFFICE,

TALLAHASSEE, January 25th, 1834.

President of the Legislative Council:

SIR—I have the honour to inform the Council, I have this day approved, signed, and filed in the Secretary's Office, "An Act to organise a County to be called Hillsborough, and for other purposes." As it is deemed important to appoint the officers for this new County without delay, I deem it my duty to send in the following nominations, viz:—

For Judge of the County Court of Hillsborough, Augustus Steele.

For Justices of the Peace for said County, Wm. Bunce, Wm. G. Saunders, John Warren, and Joshua Stafford.

For Auctioneer, Notary Public and Inspector of Lumber, J. B. Benjamin.

I am respectfully your obedient servant,

WM. P. DUVAL.

I also nominate as Appraisers of the Union Bank, for the County of Jackson, Owen Williams, Wm. S. Pope, Wm. Patterson and John Bird.

Respectfully, your obedient servant,

WM. P. DUVAL.

Which being read, on motion of Mr. PRIEST, the House went into secret session on the nominations therein contained, and consented to and advised the same—The door being opened.

On motion of Mr. GREEN, the House adjourned until Monday next, at 12 o'clock.

MONDAY, JANUARY 27th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of Saturday's proceedings was read.

Mr. President laid before the House the following communication, viz:—

TALLAHASSEE, Jan. 26th, 1834.

To the President of the Legislative Council:

SIR—I herewith lay before the Council, an account of Horatio P. Vass, for services rendered by him in the Secretary's Office during the time charged by him. His removal from the Territory, and the absence of his account in regular form, has prevented me heretofore from submitting his claim to the Legislature. The services were rendered at a time, I could not proceed with the business of the office without assistance. I trust, Sir, that the Legislature will admit the account, and direct the same to be paid. Congress may be induced by a Reso-

lution of your body, to refund the amount to the Territorial Treasury.

I am respectfully, your obedient servant,

WM. P. DUVAL.

Which was read, and on motion, referred together with the account therein enclosed, to the committee on Claims.

Mr. BLOUNT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to incorporate the College of Pensacola"—which was read the first time by its title, and referred to the committee on Schools and Colleges.

Mr. ROBINSON, pursuant to previous notice, asked and obtained leave to introduce a bill, to be entitled "An Act to authorise the Trustees of Quincy Academy to raise a certain amount of money by Lottery"—which was read the first time, and made the order of the day for to-morrow.

Mr. DuPONT gives notice, that he will on some future day, ask leave to introduce a bill in relation to trading with negroes.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill "to incorporate the Tallahassee and Jacksonville Rail Road Company"—which was read the first time by its title and referred to the committee on Internal Improvements.

Mr. BLOUNT presented the petition of A. Millsted and others, citizens of Escambia county, praying an alteration of the law taxing the cattle of non-residents—which was referred to the committee on Agriculture.

Mr. WARD presented the petition of M. H. Phillips, and other citizens of Duval county, praying a Ferry chartered to Thomas Hagan—which was referred to a Select Committee—Messrs. Ward, Bird and Bulloch were appointed.

Mr. GAUTIER presented the petition of W. S. Mooring, with sundry vouchers—which were referred to the committee on Finance.

Mr. BLOUNT offered the following Resolutions, to wit:

Resolved, That a Select Committee be appointed to inquire into the state of the Merchants and Planter's Bank of Magnolia, and the manner in which its affairs have been conducted.

Resolved, That the committee, in order to facilitate the inquiries directed in the foregoing resolution, have leave to send for persons and papers—The rule of the House being waived, the said resolutions were read and adopted—Messrs. Blount, Riz and Gautier were appointed.

A bill, to be entitled "An Act to authorise Sheriffs and Clerks of County Courts to appoint Deputies, was read

the second time, when the House went into committee thereon—Mr. BLOUNT, from said committee, reported progress, and asked leave to sit again, which was concurred in by the House.

The following Report from the committee on the State of the Territory, was taken up from the orders of the day, and read and agreed to, viz:

The committee on the State of the Territory, to whom was referred the bill, to be entitled "An Act regulating the introduction and removal of Slaves from the Territory of Florida, beg leave to

REPORT:

That they have considered the provisions of the said bill, and are unanimously of opinion, that the same are inexpedient, and pray to be discharged from the further consideration of the subject.

Respectfully submitted,

GEO. T. WARD, Chairman.

A bill, to be entitled "An Act to establish a Board of Wardens for the Port of St. Marks, was read the second time, when the House, on motion of Mr. DUPONT went into committee thereon—Mr. GAUTIER, from said committee, reported the bill with amendments, which were agreed to by the House.

An engrossed bill, entitled "An Act to authorise James Caraway to establish a Ferry at Ocheesee, on the Appalachian river"—was read the third time and passed—Ordered that the title be as before stated.

The House, in Committee of the Whole, again took under consideration the bill to Incorporate the Tallahassee Rail Road Company—Mr. CHANDLER, from said committee, reported progress, and asked leave to sit again, which is concurred in by the House.

On motion of Mr. BULLOCH, the House adjourned until to-morrow, 11 o'clock.

TUESDAY, JANUARY 28th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. FORBES, from the Select Committee, to whom was referred the bill, entitled "An Act in relation to rafted Lumber adrift"—reported the said bill with amendments, and the said bill is ordered for a second reading on to-morrow.

The Engrossed bill, entitled "An Act to impose a tax on the proprietors or exhibitors of Circusses, or other shews of amusement in the Territory of Florida"—was read the third time, when on motion of Mr. BRAD, the House went into Committee of the Whole thereon—Mr.

CHANDLER from said committee, reported a bill with the same title, and sundry amendments, as a substitute therefor, which report was agreed to by the House, and the rule being waived, the said bill was read a third time by its title and passed—Ordered that the title be as before stated.

A bill, to be entitled "An Act to authorise the Trustees of Quincy Academy to raise a certain amount of money by Lottery"—was read the second time, when on motion of Mr. ROBINSON, the rule was waived; the said bill was read a third time by its title, and put on its final passage—The yeas and nays being called by Messrs. Forbes and Ward, were as follows: Yeas, Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Green, Kirkland, McKennon, Mooring, Robinson, Ward, 11. Nays, Messrs. Forbes and Priest, 2—So the said bill is passed: Ordered that the title be as aforesaid.

Mr. CHANDLER moved to reconsider the vote, by which the bill, entitled "An Act to define the extent of Monroe County"—was indefinitely postponed, which motion prevailed, and the said bill was read a second time, and made the order of the day for a third reading on to-morrow.

On motion of Mr. CHANDLER, the House adjourned until to-morrow, 11 o'clock.

WEDNESDAY, JANUARY 29th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. BULLOCH gave notice, that he will on some future day, ask leave to introduce a bill, to provide for holding the next Session of the Legislative Council and Court of Appeals at the Town of Appalachiecola.

Mr. CHANDLER asked and obtain leave, in pursuance of previous notice, to introduce a bill, entitled "An Act regulating the returns of Ca Sa Executions—which was read the first time, and made the order of the day for to-morrow, and 18 copies are ordered to be written.

Mr. GREEN asked and obtained leave, in pursuance to previous notice, to introduce a bill, entitled "An Act to amend an Act to Incorporate the Town of St. Marks"—which was read the first time, and made the order of the day for Saturday next.

Mr. WARD gave notice, that on some future day, he will introduce a bill, entitled "An Act to authorise the County of Duval, to raise the sum of Six Thousand Dollars by Lottery, for the purpose of completing the Court House in said County.

Mr. PRIEST offered a Resolution, which was read and laid on the table until to-morrow.

Mr. WARD offered a Resolution, which was read and laid on the table until to-morrow.

Mr. President laid before the House, a communication from the Governor—Which was read and laid on the table until to-morrow.

Mr. PRIEST, from the Standing Committee on the Militia, reported a bill, entitled "An Act to amend an Act, entitled an Act to organize and regulate the Militia of the Territory of Florida, and to repeal an Act passed 1st February, 1832—approved 17th February, 1832": which was read the first time by its title, and made the order of the day for to-morrow, and 18 copies are ordered to be written.

Also, a bill, entitled "An Act concerning Patrols— which was read the first time by its title, and made the order of the day for Monday next, and 18 copies are ordered to be written.

The House in Committee of the Whole, again took under consideration, "A bill to Incorporate the Tallahassee Rail Road Company"—Mr. CHANDLER, from said committee, reported progress, and asked leave to sit again; which was concurred in by the House.

Mr. BLOUNT, from the Select Committee, appointed to examine into the condition of the Merchants & Planter's Bank of Magnolia, made the following

REPORT.

That on Monday last, they proceeded to the town of Magnolia, and commenced their investigation of the affairs of the institution, and found that on Saturday, the 25th instant, when the Bank suspended payment, the notes in circulation amounted to the sum of *Sixty-Five Thousand Six Hundred and Eighteen Dollars*, [65,618,] as appears by its register of notes issued. That to meet this circulation, they have in notes discounted, past due and running to maturity, payable at Magnolia, the sum of *Seventy-Five Thousand Six Hundred and Three Dollars, Thirty-Six Cents*, [75,603 36]; of which sum Two Thousand Seven Hundred and Seven Dollars [2,707,] is due from citizens of Leon county, unconnected with the institution,—the balance, *Seventy-Two Thousand Eight Hundred and Ninety-Six Dollars, Thirty-Six Cents*, [72,896 36] is due by THOMAS G. GORDON, THOMAS PACE, and A. E. PATTON, all of which will more fully appear by reference to the list of notes discounted, hereto annexed, and marked No. 1.

The Committee after examining the notes discounted, payable at Magnolia, proceeded to ascertain the situation of the balances that appear by the state of the Bank, hereto appended, marked No. 2, to be due at New York, Charleston, & in Georgia. The examination resulted in the fact, that although the Bank statement exhibits large balances to be due at the aforesaid places, the Bills of Exchange and Checks upon which those accounts were predicated, were still in Bank, sealed up by the President, who is now absent at the North, with direc-

tions not to be opened until his return. The Cashier, however, opened the package in the presence of the Committee, and the contents proved to be, Bills of Exchange and Checks to the amount of *Fifty-One Thousand Seven Hundred and Eighty-Nine Dollars, Forty-Six Cents*, [51,789 46] as appears by the statement marked No. 3. The drawers of these Bills of Exchange and Checks, are, THOMAS G. GORDON, and THOMAS PACE.

The Committee in the discharge of their duty, considered it important to ascertain in what manner the directors had performed their functions, and the result of their investigation was that on the 12th November last, the following resolution was adopted:—

"Resolved, That the President (with the Cashier under his directions) constitute a Board for the transaction of all business relating to this Bank, during the absence of a Board.

"[Signed] JEREMIAH POWELL."

On that day Mr. POWELL resigned his situation as President, and Mr. T. G. GORDON was elected to fill the vacancy. Under this resolution Mr. GORDON discharged all the duties of the Board until the 27th November last, about which time he left the territory, delegating all his powers to the Cashier by the following order.

"MAGNOLIA, 27th Nov. 1833.

"Ordered, that the Cashier be a Board for the transaction of all business relating to this Bank, during the absence of the President, and of the Board of Directors.

"[Signed] THOMAS G. GORDON, President."

The Cashier from that period up to the 25th instant, discharged the duties of President, Cashier, and Directors! Such a course of proceeding, it is unnecessary for the Committee to say was illegal, and in direct violation of the charter of the Bank.

By an act of the last session, it is required, that the different banks of the territory shall by their President and Cashier, render a true and correct statement of all their affairs, under oath to the governor on the first Monday of November in each and every year, to be by him submitted to the council. This Bank in pursuance of the requisitions of the said act, did make the return hereto annexed, marked No. 4, by JEREMIAH POWELL, President, and E. SEIXAS, Cashier, under oath, on the first Monday of November last, stating that they had on hand the sum of Nineteen Thousand Nine Hundred and Twenty-Nine Dollars, [19,929,] in notes of other Banks, which appear by the said statement to be available funds. Upon inquiring of the Cashier, the Committee ascertained, that of the said sum of 19,929, dollars, the sum of 10,500, dollars, was in THOMAS PACE'S CHECKS on Banks in Georgia, and contained in the sealed package before referred to!!

The Committee deem it unnecessary to recommend the adoption of any measure against the institution, inasmuch as the creditors of the Bank have instituted legal proceedings against it, and the assets are now in the hands of receivers appointed by the Judge of the Middle District.

The Committee have come to the conclusion that if GORDON,

PAGE, and PATTON pay the amounts of their several liabilities, the Bank will be amply able to redeem its circulation; if they do not, it will be an entire loss to a confiding and unsuspecting community.

All of which is respectfully submitted.

[Signed] THO. M. BLOUNT,
JAMES RIZ,
P. W. GAUTIER, jr } COMMITTEE.

NO. I.

**LIST OF NOTES PAST DUE AND RUNNING TO
MATURITY IN THE MERCHANTS AND
PLANTER'S BANK, MAGNOLIA,
23rd JANUARY, 1834**

Drawers.	Endorsers.			
Thos. G. Gordon.	Stock.	due 2 & 5 Feb. 1834,	17,280	
" "	"	" 2 " 5 "	750	
" "	"	" 9 " 12 "	5,110	
" "	"	" 12 " 15 "	1,721 36	
" "	"	" 16 " 19 "	5,000	
" "	Thos. Pace,	" 29 " 1 Jan. 2,500	29,861 36	
A. E. Patton, Thos. Pace,	T. G. Gordon,	" 28 " 31 "	2,500	
T. G. Gordon, Allan Law-	hon, by T. G. G. att'y.	" 2 " 5 Feb. 6,000		
" "	"	" 4 " 7 "	1,000	
A. E. Patton & T. G. Gordon,	Thos. Pace,	" 8 " 11 "	875	
" "	T. G. Gordon,	" 11 " 14 "	5,000	
" "	"	" 14 " 17 "	4,000	
" "	"	" 16 " 19 "	6,000	
A. E. Patton, Thos. Pace,	T. G. Gordon,	" 24 " 27 "	3,000	
" "	"	" 3 " 6 Mar. 5,000		
" "	"	" 13 " 16 "	5,000	
A. Lawhon, T. G. Gordon,	Bank,	" 27 " 30 "	2,160	
Amount of five notes due by citizens of Leon coun- ty unconnected with the Bank,			2,707 45,742	
			75,603 36	

NO. II.

**STATE OF THE BANK ON SATURDAY MORN-
ING, 25th JANUARY, 1834.**

To Capital Stock,		60,000
Bank Notes issued,	79,870	
Do. do. on hand,	14,252	
In circulation,	65,618	
Profit and Loss Account,	403 20	

Discount Account \$894 50 Pre-	912 82
mium Account 18 32.	
J. D. Beers, J. R. St. John &	177 89
Co. New Orleans,	
Deposits,	5,979 49
	133,091 40

By Bills and notes discounted, pay-	75,603 36
able at Magnolia,	
Do. do. do.	14,950
at New York,	
Do. do. do.	5,600
at Charleston,	
Do. do. do.	14,239 40
at Georgia,	
Do. do. do.	3,875
at New Orleans,	
Do. do. do.	750
in suit Georgia,	
Cashier Chemical Bank N. York,	8 99
Do. Mechanics' do. do.	6,534 31
Incidental expenses,	980 34
Cash balance,	24,752
Bank Notes on hand,	14,252
	10,500

133,091 40

Merchants & Planter's Bank of Magnolia.

NO. III.

**LIST OF CHECKS AND DRAFTS AS FOUND
SEALED BY THE PRESIDENT, viz:**

1833.

16th Oct. Thos. Pace's check on Br. Bank	} In favor of T. G. Gordon	\$ 5,500
State of Georgia at Macon, at sight,		
" " Thos. Pace's check on Br. Bank	} at Darien, at sight,	5,000
" " Thos. Pace's draft on Cash'r. U.		
26th " S. Br. N. York at 1 day sight,	} at 30 days sight,	12,000
30th Sep. T. G. Gordon's draft on Robert		
Collins, Macon, Ga. at 1 day	} sight,	4,062 50
4th Nov. Thos. G. Gordon's draft on Th. Pace,		
Georgia, accepted, at 30 days sight,	} payment at the Insurance Bank, Col-	10,226 96
5th Nov. Thos. Pace's draft on Boyce, Henry &		
Walter, Charleston, S. C. Endorsed	} A. E. Patton, at 60 days sight,	5,000
23d Oct. Ths. Pace's draft on Lawrence & Trim-		
ble, N. York, at 90 days sight. End.	} A. E. Patton, T. G. Gordon,	10,000

Merchants & Planter's Bank,
Magnolia, Jan. 28th, 1834.

51,789 46

NO. IV.
STATEMENT OF THE SITUATION OF THE MERCHANTS & PLANTER'S BANK OF MAGNOLIA, ON MONDAY THE 4th NOVEMBER, 1833.

To Capital Stock paid in,	60,000
Bank Notes issued,	39,900
Deduct amount on hand,	11,347
	23,553
Discount and Premium Account,	5,409 52
Deposits,	4,113 53
	98,076 05
By specie & U. S. Bank notes,	10,493 53
Notes of other Banks,	19,929
	30,422 53
Mechanics' Bank N York,	1,400
Chemical Bank do,	480 04
Central Bank of Florida,	962 07
United States Branch New Orleans,	3 27
Notes discounted running to maturity,	24,331 08
Do. do. in suit,	750
Bills of Exc'e. dis'd running to maturity,	36,807 50
Incidental expenses,	2,919 56
	98,076 05
Nov. 4th, 1833.	ED. SEIXAS, Cash'r.

TERRITORY OF FLORIDA,
LEON COUNTY.

Personally came and appeared before GEO. HAMLIN, a Justice of the Peace, in and for the County and Territory aforesaid, Jeremiah Powell, President, and Edward Seixas, Cashier of the Merchants and Planter's Bank of Magnolia, who being duly sworn, on oath say, that the foregoing exhibits contain a true account of the situation of the affairs of said Bank, to the best of their knowledge and belief.

JEREMIAH POWELL, President.

ED. SEIXAS, Cashier.

Sworn to and subscribed before me,
GEO. HAMLIN, J. P.

NAMES of the STOCKHOLDERS in the MERCHANTS and PLANTER'S BANK AT MAGNOLIA, with the number of SHARES owned by each, together with the AMOUNT paid in.

STOCKHOLDERS.	No. of Shares.	Paid in per Share Dollars.	Amount.
Jeremiah Powell,	1,202	30	36,060
Thos. G. Gordon,	255	"	7,650
A. Lawhon,	250	"	7,500
Jos. Ladd,	122	"	3,660
Lister Crook,	20	"	600
Smith & Parramore,	15	"	450
Benjamin Byrd,	25	"	750
Jas. Kirksey,	10	"	300
Geo. Hamlin,	1	"	30
Jas. Ogilvie,	50	"	1,500
Do. Guardian,	30	"	900
Haynes & Geddes,	20	"	600
	2,000		60,000

November 4th, 1833.

ED. SEIXAS, Cash'r.

LIST OF STOCKHOLDERS, 25th January, 1834.

Thomas G. Gordon,	1,693
Allen Lawhon,	250
Benjamin Byrd,	25
L. Crook,	20
Jas. Kirsey,	10
P. K. Baillie,	1
J. Queen,	1
	2,000

Which was read, and 500 copies thereof are ordered to be printed.

Mr. President laid before the House, a communication from the Governor, as follows:

EXECUTIVE OFFICE,

JANUARY 29th, 1834.

The President of the Legislative Council:

Sir—I have the honour to nominate on the part of the Territory, Rob't Gamble, Romeo Lewis, Wm. B. Nuttall, Freeman Fitzgerald and Henry Gee, Esqrs, as Directors of the Union Bank of Florida.

I am respectfully, your obedient servant,

WM. P. DUVAL.

And thereupon, the House went into secret session on the nominations therein contained; and advised and consented to the same—when the door was again opened.

Mr. CHANDLER moved that the communication from his Excellency the Governor, this day communicated to the House, together with the documents accompanying the same, touching the conduct of an officer therein named, be referred to a Select Committee—The same motion was pending, when on motion of

Mr. ROBINSON, the House adjourned until to-morrow, 11 o'clock.

THURSDAY, JANUARY 30th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

On motion of Mr. CHANDLER, the documents transmitted on yesterday to the Legislative Council by his Excellency the Governor, are committed without instructions to the member representing Monroe County.

Mr. WARD presented the petition of B. G. Thornton, which was referred to a Select Committee—Messrs. Ward, Blount and Riz, were appointed thereon.

Mr. GAUTIER moved that the bill, entitled "An Act to amend an Act, entitled an Act to regulate the Foreclosure of Mortgages, by the Courts of Common Law of this Territory," be placed on the orders of the day for Friday next—which prevailed.

Mr. WARD moved that the bill, entitled "An Act to authorise the County Courts in this Territory, to appoint Inspectors of Beef in their respective Counties"—be placed among the orders of the day for to-day—which prevailed.

A bill, entitled "An Act to Incorporate the College of Pensacola"—was read the second time, and made the order of the day for Monday.

Mr. WARD from the Select Committee, to whom was referred the petition of Jesse H. Willis, reported a bill, to be entitled "An Act for the relief of Jesse H. Willis"—which was read the first time, and made the order of the day for to-morrow.

Mr. CHANDLER from the Select Committee, to whom was referred the petition of Amelia Ann Pindar, made the following REPORT:

The Select Committee, to whose consideration was referred a petition of Amelia Ann Pindar, praying for a divorce from her husband, Nicholas Pindar, have bestowed due attention upon her application, and having carefully examined into the facts and circumstances alleged in support of the same, beg leave to recommend, that the prayer therein contained be granted. With this view

also, the committee have herewith reported a bill, providing for the exigency of the occasion.

Respectfully submitted,

EDWARD CHANDLER, Chairman.

And also reported a bill, entitled "An Act to divorce Amelia Ann Pindar and Nicholas Pindar from the bonds of matrimony"—which was read the first time, and made the order of the day for to-morrow.

A bill, entitled "An Act to define the extent of Monroe county"—was taken up in Committee of the Whole: Mr. GAUTIER from said committee, reported the same to the House, with all but the enacting clause stricken out—which is concurred in by the House.

A bill, entitled "An Act to provide for the election of certain officers in this Territory"—was on motion of Mr. SMITH, postponed and made the order of the day for Tuesday next.

A bill, entitled "An Act regulating the returns of Criminal Executions"—was read the second time, when the House went into Committee of the Whole thereon—Mr. BULLOCH from said committee, reported the said bill with all, but the enacting clause stricken out. Upon the question of agreeing to the reported of the committee, the yeas and nays were called by Messrs. Chandler and Gautier—Yeas, Mr. President, Messrs. Bird, Blount, Bulloch, Forbes, Gautier, Green, Kirkland, McKennon, Mooring, Priest, Riz, Robinson and Ward, 14.—Nays, Mr. Chandler, 1.—So the said report is agreed to.

A bill, entitled "An Act to amend 'An Act to Incorporate the Town of St. Marks'"—was read the second time, and ordered to be engrossed for a third reading on to-morrow.

A bill, entitled "An Act to amend an Act entitled 'An Act to organize and regulate the Militia of the Territory of Florida, and to repeal an Act passed 1st February, 1832—Approved, 17th Feb. 1832.'"—Was read the second and third times, the rule of the House being waived and passed—Ordered that the title be as before stated.

A bill, entitled "An Act in relation to rafted Lumber adrift"—was read the third time and passed—Ordered that the title be as before stated.

Mr. PRIEST on yesterday, offered the following Resolution, to wit:—

Resolved, That the committee on the State of the Territory, be instructed to inquire into the expediency of memorializing Congress, on the subject of the claim of Georgia to a part of this Territory—which was again read and adopted.

Mr. WARD offered on yesterday, the following Resolution, to wit:

Resolved, That the committee on Finance be instructed to inquire into the expediency of completing the erection of the Capitol, and if expedient, to report a bill therefor—which was again read and adopted.

The House then adjourned until to-morrow, 11 o'clock.

FRIDAY, JANUARY 31st, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

WARD gave notice, that he will on some future day, ask leave to introduce a bill, to be entitled, "An Act regulating the Pilotage of the River and Harbour of Appalachee."

Mr. FORBES asked and obtained leave, in pursuance of notice heretofore given, to introduce a bill, entitled "An Act declaring Juniper creek in the county of Escambia, a navigable stream"—which was read the first time, and made the order of the day for to-morrow.

Mr. GAUTIER from the Select Committee, to whom the same was referred, made the following

REPORT:

The Select Committee, to whom was referred the petition of Elizabeth Frances Thompson, praying a divorce from her husband, John Thompson, have had the same under consideration, and from the facts set forth in said petition, sustained in an annexed certificate from respectable names, have arrived at the conclusion, that said prayer of the petitioner should be granted, and in pursuance thereof, have reported a bill to annul the marriage contract between said parties.

PETER W. GAUTIER, Jr. Chairman.

Which was read and agreed to.

A bill, entitled "An Act to dissolve the marriage contract between Elizabeth Frances Thompson and John Thompson," was read, and made the order of the day for a second reading on Monday next.

A bill, entitled "An Act to authorise the Co. Courts in this Territory, to appoint Inspectors of Beef in their respective counties"—was read the second time, and the House went into committee thereon—Mr. FORBES, from said committee, reported the bill with amendments, which was agreed to—the rule of the House being waived, the said bill was read a third time by its title and passed—Ordered that the title be as before stated.

A bill, entitled "An Act to amend 'An Act entitled an Act to regulate the Foreclosure of Mortgages by the Courts of Common Law of this Territory, and for other

purposes"—was read the second time, and ordered to be engrossed for a third reading on Monday next.

A bill, entitled "An Act to amend an Act to Incorporate the Town of St. Marks"—was on motion of Mr. GREEN, referred to a Committee of the Whole House. Mr. BLOUNT, from said committee, reported the said bill to the House with amendments; which was agreed to, and the said bill was read a third time and passed—Ordered that the title be as before stated.

A bill, entitled "An Act to divorce Amelia Ann Pindar and Nicholas Pindar, from the bonds of matrimony," was read the second time—the rule of the House being waived, the said bill was read the third time by its title, and put on its final passage; the yeas and nays being thereon called by Messrs. Green and Chandler, were yeas Mr. President, Messrs. Blount, Bulluch, Chandler, Gautier, Kirkland, Mooring, Priest and Robinson, 9—Nays, Messrs. DuPont, Forbes, Green, McKennon, Riz, Smith and Ward, 7—So the said bill is passed—Ordered that the title be as before stated.

A bill, entitled "An Act for the relief of Jesse H. Willis," was read the second time, & made the order of the day for a third reading on Tuesday next, and 18 copies are ordered to be written.

The committee of the whole House again took under consideration the bill, entitled "An Act to Incorporate the Tallahassee Rail Road Company"—Mr. CHANDLER from said committee, reported progress and asked leave to sit again, which was agreed to.

The House then adjourned until to-morrow 11 o'clock.

SATURDAY, FEB. 1st, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. BULLOCK gave notice, that he will on some future day, ask leave to introduce a bill, for the relief of Shan-non & Ballagh.

Mr. CHANDLER moved that the rule of the House be waived, and that he have leave forthwith, to introduce a bill, entitled "An Act to Incorporate a Bank in the county of Jackson"—which was agreed to; and the said bill was read the first time and made the order of the day for Monday, and 18 copies are ordered to be written.

Mr. MCKENNON gave notice, that on some future day, he will ask leave to introduce a bill to provide for the election of a County Seat in Walton county.

Mr. DUPONT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to establish a tariff of Fees"—which was read the first time,

and referred to a Select Committee—Messrs. DuPont, Smith and Blount were appointed thereon.

Mr. SMITH gave notice, that he will, on some future day, ask leave to introduce a bill for the relief of Douglas Dummett. Also, a bill for the relief of Thomas Douglas.

Mr. WARD presented the petition of Jonathan Thigpin, praying an allowance therein expressed, which was read, and referred to the committee on Claims.

Mr. BLOUNT, from the committee on Enrolled Bills, reported as correctly Enrolled :

"An Act to legitimate and change the name of Martha Higginbotham to that of Martha Crozier."

"An Act to authorize Nehemiah Brush to establish a Ferry across St. John's river at a place called Palatka."

"An Act to authorise the Trustees of Quincy Academy to raise a certain amount of money by Lottery."

"An Act to authorise James Caraway to establish a Ferry at Ocheesee on the Appalachicola river."

"An Act to amend an Act, entitled 'An Act to organize and regulate the Militia of the Territory of Florida, and to repeal an Act passed 1st February, 1832.' Approved, 17th February, 1833." And

"And Act, to amend an Act, to Incorporate the Town of St. Marks"—Which were signed by the president.

Mr. WARD from the Select Committee, to whom was referred the petition of M. H. Phillips and others, made the following REPORT :

The Select Committee, to whom was referred the petition of Martha H. Philips, and others, praying a charter to be granted to Thomas Hagan, for a Ferry over Black creek, in Duval county, beg leave to

REPORT :

That they have considered the same, and are of opinion, that the prayer of the petitioners should be granted. They therefore recommend that the bill now before the House, granting a charter to Ozias Buddington, be amended by inserting the name of Thomas Hagan, instead of the name of Ozias Buddington.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read and agreed to—and on motion of Mr. Ward, the vote passing the bill, entitled "An Act authorising a Ferry across the South prong of Black creek in Duval County," was reconsidered, and on his motion, by unanimous consent of the House, the name of Thomas Hagan, was substituted for that of Ozias Buddington, wherever the same occurred in the bill—Also, after the word "time" in the last section of said bill, the words "to time" were in like manner inserted, and the said bill was

read a third time and passed—Ordered that the title be as before stated.

On motion of Mr. WARD, the vote passing the bill, entitled "An Act to authorize the County Courts in this Territory to appoint Inspectors of Beef in their respective Counties," was reconsidered with a view to verbal amendments—which were made—and the said bill was again read a third time by its title and passed—Ordered that the title be, "An Act to authorise the County Courts in this Territory to appoint Inspectors of Beef Cattle in their respective counties."

On motion of Mr. FORBES, ordered that 500 copies of the Documents accompanying the report of the Select Committee on the Magnolia Bank be printed.

A bill, entitled "An Act to authorise Sheriffs and Clerks of County Courts to appoint Deputies," was again taken up in Committee of the Whole—Mr. BLOUNT therefrom reported the bill to the House with amendments, which was concurred in, and the said bill is ordered for a third reading on Monday next.

A bill, entitled "An Act to dissolve the marriage contract of Henry D. Stone and Sarah N. Stone," was read the third time and passed—Ordered that the title be as before stated.

A resolution heretofore presented by Mr. BIRD, on the subject of representation, and the amendments thereto offered, are postponed and made the order of the day for Saturday the 8th of February.

A bill, entitled "An Act declaring Juniper creek, in the county of Escambia, a navigable stream," was read the second and third times, (the rule being waived) and passed—Ordered that the title be as before stated.

The House in committee of the Whole, again took under consideration, the "Bill to Incorporate the Tallahassee Rail Road Company"—Mr. Chandler from said committee, reported progress, and asked leave to sit again, which is concurred in by the House.

The House then adjourned until Monday next, at 12 o'clock.

MONDAY, FEBRUARY 3d, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of Saturday's proceedings was read.

Mr. President laid before the Council, the following communication from his Excellency the Governor, which was read, to wit :—

EXECUTIVE OFFICE,
TALLAHASSEE, February 3d, 1834. }

Sir—I have approved, signed, and filed in the Secre-

ary's Office, the following Acts:

"An Act to repeal certain Acts, organizing the Courts of Fayette." (Signed, &c. Feb. 3d, 1834.)

"An Act concerning the authentication of Conveyances."

"An Act to amend an Act to Incorporate the Town of St. Marks."

"An Act to authorize Nehemiah Brush to establish a Ferry across St. John's river, at a place called Palatka."

"An Act to amend an Act, entitled 'An Act to organize and regulate the Militia of the Territory of Florida, and to repeal an Act passed the 1st of Feb. 1832,' and approved the 17th of Feb. 1833."

"An Act to legitimate and change the name of Martha Higginbotham, to that of Martha Crozier."

"An Act to authorise James Callaway to establish a Ferry at Ocheesee, on the Appalachiecola river."

"An Act to authorise the Trustees of Quincy Academy to raise a certain sum by Lottery."

Very respectfully your ob't servant,

WM. P. DUVAL.

Hon. JOHN WARREN, President of the Council.

Mr. GREEN gave notice, that he will at some future day, ask leave to introduce a bill, to be entitled "An Act for the more effectual suppression of frauds in the management of Banks."

Also, that he will, at some future day, ask leave to introduce a bill, to be entitled "An Act to Incorporate the Tallahassee Jockey Club, for the improvement of the breed of horses."

Mr. BULLOCH, pursuant to previous notice, asked and obtained leave to introduce a bill, to be entitled "An Act for the relief of Shannon & Ballagh"—which was read and referred to a Select Committee—Messrs. Bulloch, Gautier and Robinson were appointed.

Mr. DUPONT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act in relation to trading with slaves"—which was read; made the order of the day for to-morrow, and eighteen copies are ordered to be written.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act giving a lien to Mechanics in certain cases"—which was read, and made the order of the day for to-morrow, and 18 copies are ordered to be written.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act regulating the Pilotage of the Port of St. Marks"—which was read and made the order of the day for to-morrow.

Mr. GAUTIER presented the petition of Charles Trippé—which with the accompanying documents, was referred to the committee on Finance.

Mr. FORBES offered a Resolution, which was read and laid on the table.

Mr. WARD, from the Select Committee, to whom the petition of B. G. Thornton was referred—reported a bill, to be entitled "An Act for the relief of Benj. G. Thornton;" which was read, and made the order of the day for Wednesday.

A bill, entitled "An Act to Incorporate the College of Pensacola"—was postponed and made the order of the day for to-morrow.

A bill, entitled "An Act to dissolve the marriage contract between Elizabeth Frances Thompson and John Thompson," was read the second and third times; the rule being waived, and put on its final passage—the yeas and nays being called by Messrs. DuPont and Bird, were yeas Mr. President, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Robinson and Ward, 9.—Nays, Messrs. Bird, DuPont, Forbes, Green, McKennon and Riz, 6—So the said bill is passed—Ordered that the title be as before stated.

A bill, entitled "An Act concerning Patrols"—was postponed, and made the order of the day for to-morrow.

A bill, entitled "An Act to Incorporate a Bank in the County of Jackson, was read the second time, and made the order of the day for to-morrow.

An engrossed bill, entitled "An Act to amend an Act, entitled 'An Act to regulate the Foreclosure of Mortgages by the Courts of Common Law of this Territory, and for other purposes,'" was read the third time and passed—Ordered that the title be as before stated.

A bill, entitled "An Act to authorise Sheriffs and Clerks of County Courts to appoint Deputies," was, on motion of Mr. Forbes, recommitted to a committee of the whole House—Mr. Bulloch from said committee, reported the bill amended, which was concurred in by the House, and the said bill was read a third time and put on its passage: the yeas and nays being required by Messrs. Chandler and Forbes, were yeas Mr. President, Messrs. Bird, Blount, Bulloch, DuPont, Gautier, Green, Kirkland, McKinnon, Mooring, Riz and Robinson, 12—Nays, Messrs. Chandler, Forbes and Ward, 3.—So the said bill is passed—Ordered that the title be "An Act to authorize Sheriffs, and Clerks of Superior and County Courts to appoint Deputies."

The House in Committee again took under consideration, "A bill to Incorporate the Tallahassee Rail Road."

Company?"—Mr. Chandler from said committee, reported the bill as amended, which was agreed to by the House, and the same is ordered to be engrossed for a third reading on Wednesday next.

The House then adjourned until 10 o'clock on to-morrow.
TUESDAY, FEB. 4th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. DuPont gave notice, that he will on to-morrow, ask leave to introduce a bill, to be entitled "An Act in addition to the Act concerning Wills and Letters of Administration.

Mr. WARD gives notice, that he will on some future day, ask leave to introduce a bill, entitled "An Act to revive an Act Incorporating the Town of Jacksonville.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to establish and regulate the rates of Pilotage for the St. John's and Nassau rivers"—which was read, and made the order of the day for a second reading on to-morrow.

Mr. Blount gives notice, that on some future day, he will ask leave to introduce the following bills:—A bill to authorise William A. Bell to build a Bridge across the Big Bayou in Escambia County.

Also, a bill to alter the time of holding the Superior Courts in the Western District of Florida.

Mr. CHANDLER gives notice, that he will on a future day, ask leave to introduce a bill, to be entitled "An Act establishing a board of Wardens for the Port of Key West, and for other purposes."

Mr. ROBINSON gave notice, that he will on some future day, ask leave to introduce a bill for the relief of Isaac Nathans, and others.

Mr. WARD from the committee on the State of the Territory, made the following Report:

The Committee on the State of the Territory, to whom was referred the expediency of Revising the several Laws defining the County Boundaries, beg leave to

REPORT:

That they consider any new enactment on the subject as inexpedient, and therefore pray to be discharged from further consideration of the subject. Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read and agreed to.

Mr. Riz from the Select Committee on Printing, made the following

REPORT:

That the Committee have received the following proposals from William Wilson, for the Printing of the present Session of the Council; and that they believe the terms proposed are as low as can now be obtained. Respectfully submitted,

JAMES RIZ, Chairman.

Mr. BULLOCH from the Select Committee, to whom was referred the bill for the relief of Shannon & Ballagh, made the following

REPORT:

The Select Committee to whom was referred the consideration of the bill, entitled "An Act for the relief of Shannon &

Ballagh," have concluded to report the same without amendment.

The Committee have examined the facts on which said Act for their relief is sought from the Council, and find that the said Shannon & Ballagh held on the first Monday in February last, in the Town of Appalachicola, property; the Territorial tax on which, amounted to Eighty Dollars, and that the whole thereof was destroyed by fire in the month of March thereafter. The Committee are therefore of opinion, that it would be unjust and oppressive to retain the tax paid on the aforesaid property, and therefore report the bill as before stated.

JAMES D. BULLOCH,
PETER W. GAUTIER, Jr. } Select
JONATHAN ROBINSON, } Committee.

Which was read and agreed to, and on his motion, the bill entitled "An Act for the relief of Shannon & Ballagh, was made the order of the day for a second reading on to-day.

A bill, entitled "An Act to provide for the election of certain officers in this Territory, was on motion of Mr. GAUTIER, postponed, and made the order of the day for Wednesday.

A bill, entitled "An Act for the relief of Jesse H. Willis," was on motion of Mr. WARD, postponed, and made the order of the day for to-morrow.

A bill, entitled "An Act giving a lien to Mechanics in certain cases," was on motion of Mr. WARD, postponed, and made the order of the day for to-morrow.

A bill, entitled "An Act in relation to trading with negroes," was on motion of Mr. BLOUNT, postponed, and made the order of the day for to-morrow.

On motion of Mr. WARD, the House went into Committee of the Whole on the bill, entitled "An Act regulating the Pilotage of the Port of St. Marks"—Mr. FORBES reported said bill without amendment, which was agreed to by the House—the rule being waived, the said bill was read a third time and passed—Ordered that the title be as before stated.

Mr. FORBES offered on yesterday the following Resolutions, to wit:—

1. Resolved, That the Committee on Finance be, & is hereby instructed to examine all the facts in any manner connected with the Tallahassee Fund.—In what manner the several Commissioners have discharged their duties; their commissions, fees and charges: The purposes to which said fund has been appropriated; the amount paid to commissioners, contractors and to lawyers, and the balance now due the Territory from said fund. All the material facts in relation to the contracting for & building the Capitol; the causes which led to the failure of the contractors to complete the work, and the present situation of the business; and to make to this House a full and detailed statement of the whole transaction.

2. Resolved, That said committee have power to send for such persons and papers, as may be necessary in their investigation.

Which were again read, the yeas and nays being required on the adoption of said Resolutions, were as follows:—Yeas, Mr. President, Messrs. Bird, Blount, DuPont, Forbes, Gautier, Green, McKinnon, Priest, Riz, Smith & Ward, 12—Nays, Messrs

Bulloch, Chandler, Kirkland, Mooring and Robinson, 5—So the same are adopted.

A bill, to be entitled "An Act to Incorporate the College of Pensacola," was on motion of Mr. BLOUNT, postponed, and made the order of the day for to-morrow.

A bill, entitled "An Act to Incorporate a Bank in the County of Jackson," was taken up in Committee of the Whole—Mr. DUPONT therefrom, reported progress, and asked leave to sit again, which was agreed to by the House.

A bill, entitled "An Act concerning Patrols," was on motion of Mr. PRIEST, taken up in Committee of the Whole—Mr. BULLOCH therefrom, reported the said bill amended—which was agreed to by the House—and the said bill is ordered to be engrossed for a third reading on Thursday.

A bill, entitled "An Act for the relief of Shannon & Ballagh," was read the second and third times, (the rule of the House being waived,) and put on its final passage; the yeas and nays being called thereon, were yeas, Mr. President, Messrs. Bird, Blount, Bulloch, Chandler, DuPont, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz and Robinson, 14.—Nays, Messrs. Green, Smith and Ward, 3. So the said bill is passed—Ordered that the title be as before stated.

The House then adjourned until 10 o'clock on to-morrow.

WEDNESDAY, FEBRUARY 5th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. President laid before the House, the following communication, to wit:—

EXECUTIVE OFFICE, }
TALLAHASSEE, February 4th, 1834. }

Sir—An important and material variance has been discovered between the Act of the last Session of the Council, entitled "An Act regulating Interest," as PUBLISHED and the original enrolled bill on file in the Secretary's Office. By an accidental error, either of the copyist, proof reader, or printer, the word "six" is substituted in the last clause of the first section in the publication for the word "EIGHT" contained in the original bill. The Council should adopt some measures to correct the errors which have doubtless been occasioned thereby during the past year throughout the Territory.

Very respectfully, your most obedient servant,
WM. P. DUVAL.

Hon. John Warren, President of the Council.

Which was read and referred to a Select Committee—Messrs. Ward, Dupont & Forbes were appointed thereon. Mr. GREEN, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to Incorporate the Tallahassee Jockey Club, for the im-

provement of the breed of horses"—which was read by its title, and made the order of the day for a second reading on to-morrow.

Mr. DUPONT gave notice, that he will on a future day, ask leave to introduce a bill, to be entitled "An Act to Incorporate the Quincy Presbyterian Church."

Mr. WARD gave notice, that on a future day, he will ask leave to introduce a bill, to be entitled "An Act to establish a Ferry over the Ocklocknee river, at or near Wright's landing.

Also, a bill, to be entitled "An Act directing the mode of instituting Suits against Corporations.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to amend an Act, regulating the mode of proceeding in Attachment."—which was read, and on motion of Mr. Gautier, referred to the Judiciary Committee.

Mr. President laid before the House, a communication from his Excellency the Governor, containing nominations—the door being closed—the said communication, as follows, to wit:

EXECUTIVE OFFICE, }
TALLAHASSEE, FEBRUARY 5th, 1834. }

The President of the Legislative Council:

Sir—I nominate William R. Hackley, Judge, County Court, Monroe county.

Charles M. Wells, Auctioneer of said County.

The member from Monroe has requested an opportunity to transmit the commissions this morning.

WM. P. DUVAL.

Was read, and the House consented to and advised the said appointments therein named—when the door was again opened.

Mr. GREEN presented the petition of Wm. Montford—which was read and referred to a Select Committee—Messrs. Green, Bird and Riz were appointed thereon.

Mr. WARD presented the petition of John Roberts, praying a divorce—which was referred to a Select Committee—Messrs. Ward, Gautier and Priest were appointed thereon.

Mr. BULLOCH offered a Resolution, which was read and laid on the table until to-morrow.

Mr. DUPONT, from the committee on Internal Improvements, to whom had been referred a bill to Incorporate the Jacksonville and Tallahassee Rail Road Company—reported the same to the House with amendments—and said bill, on motion of Mr. Ward, is made the order of the day for to-morrow, and 18 copies are ordered to be written.

A bill, entitled "An Act for the relief of Benjamin G. Thornton," was on motion of Mr. Ward, postponed and made the order of the day for Thursday the 13th instant.

A bill, entitled "An Act to establish and regulate the rates of Pilotage for the St. John's and Nassau rivers," was read the second and third times, (the rule being waived) and passed—Ordered that the title be as before stated.

A bill, entitled "An Act for the relief of Jesse H. Willis," was on motion of Mr. Forbes, postponed and made the order of the day for Thursday the 13th instant.

A bill, entitled "An Act to provide for the election of certain Officers in this Territory," was read the second time—the House went into Committee of the Whole thereon—Mr. Blount from said committee, reported progress, and asked leave to sit again, which was agreed to by the House.

A bill, entitled "An Act giving a Lien to Mechanics in certain cases," was read the second time—the House went into committee thereon—Mr. Smith from said committee, reported progress, and asked leave to sit again"—which was agreed to by the House.

The House, in Committee of the Whole, took under consideration a bill, entitled "An Act in relation to trading with Slaves"—Mr. Robinson from said committee, reported the bill without amendment—which was agreed to by the House, and the said bill was read a third time and passed—Ordered that the title be as above stated.

The committee of the whole House, again took under consideration a bill, entitled "An Act to Incorporate a Bank in the county of Jackson"—Mr. DuPont therefrom, reported the bill with amendments, which was agreed to by the House, and said bill is ordered to be engrossed for a third reading on Friday.

A bill, entitled "An Act to Incorporate the College of Pensacola," was on motion of Mr. Blount, ordered to be postponed until Saturday next, and made the order of the day for that day.

Mr. President laid before the Council, the following communication from his Excellency the Governor, to wit:

EXECUTIVE OFFICE,
TALLAHASSEE, February 5th, 1834.

Sir—Since the last Session of the Council, there has been received a Map of the State of Ohio, and a Map of the State of Maine, from the Governors of those States respectively. Previously thereto, Maps of the States of Missouri, South Carolina and New Jersey, were received from the Governors of said States respectively.

Some disposition of these valuable works should be made, and it is submitted whether it would not be a proper and becoming courtesy to authorise the purchase of a Map of Florida to be sent to each of these States, in return for those above-mentioned.

I am respectfully, your obedient servant,

WILLIAM P. DUVAL.

Hon. John Warren, President of the Council.

Which was read, and referred to the committee on the State of the Territory.

The House then adjourned until 10 o'clock to-morrow.

THURSDAY, FEBRUARY 6th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. WARD gave notice, that he will on a future day, ask leave to introduce a bill, to amend the revenue act of 1832.

Mr. GREEN gave notice, that he will on a future day, ask leave to introduce a bill, amendatory of the Act Incorporating the Central Bank, so far as to permit the establishment of a Branch of said Bank at Appalachicola.

Mr. SMITH, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act for the relief of Douglass Dummett"—which was read the first time and laid on the table.

Also, a bill, entitled "An Act for the relief of Thomas Douglass, District Attorney of East Florida"—which was read the first time and laid on the table.

Mr. ROBINSON, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act for the relief of Isaac Nathans, and others"—which was read and made the order of the day for a second reading on to-morrow.

Mr. MCKINNON, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An Act to provide for the permanent location of the seat of Justice of Walton county, and to repeal a certain Act therein mentioned"—which was read the first time, and made the order of the day for Saturday next.

Mr. CHANDLER gave notice, that he will to-morrow ask leave to introduce a bill, to be entitled "An Act amendatory of the Act of Incorporation of the city of Key West."

Also, that he will on a future day, ask leave to introduce a bill, to be entitled "An Act to prevent the future migration of Free Negroes & Mulattoes, into the Territory of Florida."

Also, a bill, to be entitled "An Act to define the Northern boundary of the county of Monroe."

Also, a bill, to be entitled "An act amendatory and in addition to the act incorporating the La Fayette Salt Company at Key West."

Also, a bill, to be entitled "An act for the relief of Richard W. Cussans."

Also, a bill, to be entitled "An act for certain purposes therein expressed."

Mr. SMITH gives notice, that he will on a future day of the session, ask leave to introduce a bill, to change the times of holding the several terms of the Superior Court in and for the several Counties of East Florida.

A bill, in addition to the several acts regulating judicial proceedings,—and

A bill to incorporate the Athenæum of the city of St. Augustine.

Mr. GREEN, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act for the more effectual suppression of frauds in the management of Banks"—which was read and made the order of the day for a second reading on to-morrow, and 17 copies are ordered to be written.

Mr. DuPONT, pursuant to previous notice, ask and obtained leave to introduce a bill, entitled "An act to incorporate the Presbyterian congregation at Quincy"—which was read and ordered for a second reading on to-morrow.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce the following bills:—A bill, entitled an Act to establish a Ferry over the Ocklocknee river, at or near Wright's landing—which was read, and ordered for a second reading on to-morrow.

Also, a bill, entitled "An Act directing the mode of instituting Suits against Corporations"—which was read, and ordered for a second reading on Saturday, and 17 copies are ordered to be written.

Also, a bill, entitled "An act to provide for the completion of the Capitol"—which was read, and referred to the committee on Finance.

Also a bill, entitled "An act to provide for the completion of the Court House in the county of Duval"—which was read, and ordered for a second reading on to-morrow.

Also a bill, entitled "An act to incorporate the Town of Jacksonville"—which was read, and ordered for a second reading on to-morrow.

Mr. WARD presented the petition of Isaac Varu and others, relative to the exemption of certain property from Execution; which was referred to the Judiciary Committee.

Also the petition of Mathew H. Phillips and others, on the subject of a Toll Bridge over Black creek; which was laid on the table.

Mr. SMITH presented the petition of Douglas Dummett—which was referred to a Select Committee.—Messrs. Smith, DuPont and Bird were appointed thereon.

Mr. CHANDLER offered the following Resolution, to wit: Resolved, That a Select Committee be appointed to inquire into the nature of the claims of James J. Board & Darius Clapp, against the Territorial Treasury, and that said committee be instructed to report by bill or otherwise upon said claims.—Which was read, and upon his motion, the rule being unanimously waived, was put on its passage and adopted.—Messrs. Chandler, Kirkland and Mooring were appointed on that committee.

Mr. WARD presented a Resolution, which was read and laid on the table till to-morrow.

Mr. RIZ from the Select Committee on Printing, made the following

REPORT:

That they have made a contract with William Wilson of this city, for the Printing to be done for the Council at its present Session, and taken a bond for the faithful performance of the contract herewith presented.

Respectfully submitted,

JAMES RIZ, Chairman.

Which was read and agreed to, and on his motion, the Clerk of this House is authorised and required to file the said bond in the Executive Office.

An engrossed bill, entitled "An act to incorporate the Tallahassee Rail Road Company," was read a third time by its title, and put on its passage—the yeas and nays being called by Messrs. Chandler and DuPont; were yeas, Mr. President, Messrs. Bird, Blount, Bulloch, Forbes, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 15—Nays, Messrs. Chandler and DuPont, 2—So the said bill is passed—Ordered that the title be as before stated.

An engrossed bill, entitled "An act concerning Patrols," was read the third time and put on its passage—the yeas and nays being called by Messrs. Gautier and Ward, were yeas Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Green, Kirkland, McKinnon, Priest and Robinson, 10—Nays Messrs. Blount, Forbes, Gautier, Mooring, Riz, Smith and Ward, 7—So the said bill is passed—Ordered that the title be as aforesaid.

A bill, entitled "An act to incorporate the Tallahassee Jockey Club, for the improvement of the breed of horses," was read the second time; the House went into committee thereon—Mr. Riz therefrom, report the bill amended, which was agreed to by the House; and said bill is or-

dered to be engrossed for a third reading on to-morrow.

The Resolution offered by Mr. BULLOCH on yesterday, was postponed and made the order of the day for Monday next.

The House in Committee of the Whole again took under consideration a bill, entitled "An act to provide for the election of certain Officers in this Territory"—Mr. Blount from said committee, reported a substitute for said bill, entitled "An act to amend an act, entitled an act to provide for holding an election for Delegate to Congress from this Territory, members of the Legislative Council, and certain other officers—passed February 13th, 1833." Which was agreed to by the House.

Mr. FORBES moved to amend said bill, by adding at the end of the 4th section thereof, as follows, to wit:—"But this restriction shall not extend to officers of the Army and Navy who claim this Territory as their residence, and who have permanent interests as other citizens." The yeas and nays being called on said amendment by Messrs. Forbes and Ward, were yeas Mr. President, Messrs. Blount, Forbes and Ward, 4—Nays, Messrs. Bird, Bulloch, Chandler, Dupont, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Smith, 13. So the said amendment is lost.

Mr. GREEN moved to amend said bill, by adding at the end of the 4th section, the following, to wit:—"Provided, that nothing herein contained, shall be construed to deprive any officer or soldier of the United States' Army or seamen of the United States Navy, who may have had rights of citizenship in this Territory at the change of flags, from his full and just participation in all such rights." The yeas and nays being called on said amendment by Messrs. Green and Smith, were yeas Messrs. Blount, Bulloch, Gautier, Green, McKinnon, Mooring and Smith, 7—Nays, Mr. President, Messrs. Bird, Chandler, Dupont, Forbes, Kirkland, Priest, Riz, Robinson and Ward, 10. So the said amendment is lost.

Mr. DUPONT moved to recommit the bill with a view to amend the section which requires, that the Election should be held in May—The yeas and nays being called by Messrs. Ward and Green, were yeas Mr. President, Messrs. Dupont, McKinnon, Priest and Ward, 5—Nays, Messrs. Bird, Blount, Bulloch, Chandler, Forbes, Gautier, Green, Kirkland, Mooring, Riz, Robinson and Smith, 12. So the said motion is lost. The rule of the House being waived, the said bill was read a third time and put on its final passage—the yeas and nays being thereon called by Messrs. Forbes and Chandler, were yeas Messrs. Bird, Blount, Bulloch, Chandler, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Smith,

13—Nays, Mr. President, Messrs. Dupont, Forbes and Ward, 4. So the said bill is passed—Ordered that the title be as before stated.

A bill, entitled "An act giving a Lien to Mechanics in certain cases," was again taken up in Committee of the Whole—Mr. Smith therefrom, reported progress, and asked leave to sit again, which is concurred in by the House.

An engrossed bill, entitled "An act to incorporate a Bank in the county of Jackson," was read the third time and put on its passage: the yeas and nays being thereon called by Messrs. DuPont and Chandler, were yeas Mr. President, Messrs. Bird, Blount, Bulloch, Chandler, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Ward, 14—Nays, Messrs. DuPont, Forbes, and Smith, 3. So the said bill is passed—Ordered that the title be as before stated.

The House then adjourned until to-morrow 10 o'clock.

FRIDAY, FEBRUARY 7th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. GREEN gave notice, that he will on to-morrow ask leave to introduce the following Bills:

A bill, entitled "A act amendatory of the Charter of the Merchants & Planter's Bank of Magnolia."

A bill, entitled "An act for the relief of Wm. Montford."

A bill, entitled "An act for the relief of Benj. Byrd and Robert Larkins."

A bill, entitled "An act to provide for the election of Governor by the people of this Territory."

Mr. BLOUNT gave notice, that he will on to-morrow, ask leave to introduce the following Bills:—A bill, to be entitled "An act to amend the Act incorporating the city of Pensacola." "A bill, to be entitled "An act to incorporate the Florida, Alabama and Georgia Rail Road Company." A bill to be entitled "An act to amend an Act to incorporate the Pensacola Academy;" and a bill, to be entitled "An act to establish a Board of Port Wardens for the city of Pensacola."

Mr. SMITH gave notice, that he will on to-morrow, ask leave to introduce a bill, to "amend the Act incorporating the Protestant Episcopal congregation of the city of St. Augustine." Also, a bill in addition to the "Act incorporating the city of St. Augustine." Also, a bill "to provide for the support of a Free School in the city of St. Augustine."

Mr. GAUTIER gave notice, that he will on to-morrow,

ask leave to introduce a bill, to be entitled "An act incorporating the Town of Marianna." Also, a bill, entitled "An act to incorporate Franklin Academy in the county of Jackson." Also a bill, entitled "An act relating to the county of Washington." Also a bill, to be entitled "An act declaratory of the common law, and to regulate the practice of the Superior Courts of this Territory, and supplementary to certain Acts therein named."

Mr. BLOUNT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act to authorise William a Bell to build a Bridge across Bayou Grande, in Escambia county"—which was read and ordered for a second reading on Wednesday next.

Also a bill, entitled "An act to change the time of holding the Superior Courts in the Counties of Walton, Washington, Jackson, and Franklin"—which was read, and ordered for a second reading on Wednesday next.

Mr. WARD gave notice, that he will on a future day, ask leave to introduce a bill, to be entitled "An act for the relief of John A. Craig."

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act to amend the Revenue Law—passed 10th Feb. 1832"—which was read, and ordered for a second reading on Monday next, and 17 copies are ordered to be written.

Mr. DUPONT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act concerning Wills, Letters Testamentary and Letters of Administration, and the duties of Executors, Administrators and Guardians"—which was read, and ordered for a second reading on Monday next, and 17 copies are ordered to be written.

Mr. GREEN, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act in addition to, and amendatory of the Charter of the Central Bank of Florida," was read, and ordered for a second reading on Monday, and 17 copies are ordered to be written.

Mr. WARD gave notice, that he will on to-morrow, ask leave to introduce a bill, to be entitled "An act respecting County Courts."

Mr. BLOUNT presented the petition of Maria Ursula Caro, praying a divorce from her husband Juan E. Lavalle—which was referred to a Select Committee—Messrs. Blount, Chandler and Forbes were appointed thereon.

Mr. WARD presented a Preamble and Resolution, which was read and laid on the table until to-morrow.

Mr. BLOUNT presented a Resolution, as follows, to wit:

Resolved, That the Chief Clerk pay the Select Com-

mittee appointed to investigate the affairs of the Merchants & Planter's Bank of Magnolia, the sum of Fifteen Dollars, being the sum expended by the committee in going to and returning from Magnolia, and that he be allowed the same in his account for contingent expenses of the present Session of the Council.

Which was read, (the rule being unanimously waived by the House,) the said Resolution was on his motion adopted.

Mr. RIZ from the committee on Claims, made the following Report, to wit:

The Committee on Claims, to whom was referred the communication of the Executive of the 26th ult., together with the account of Horatio P. Vass, for services rendered as a Clerk in the Executive Office in 1828; have had the same under consideration, and ask leave to make the following

REPORT:

The account of the claimant is founded upon services rendered in that office at a time when the Secretary of the Territory, Mr. McCarthy, was absent, and detained by sickness at the North—and the accumulation of business was such, as to render the employment of a Clerk indispensable. The justice of the claim, therefore, cannot be doubted; at the same time, your committee are of opinion, that the claim should have been presented and paid out of the appropriations for defraying the expenses of that year; the committee cannot recommend a payment of the claim out of the Territorial treasury, for the obvious reason that there are claims to a considerable amount due from the Territory, which cannot be paid for want of funds, and for the ultimate payment of which we have to rely on our own resources; nor can they recommend it to be paid out of the appropriation for defraying the expenses of the present Council, believing as they do, that strict economy will be necessary to confine our expenses within the limits of the contemplated appropriation for the present Session. The committee, therefore, recommend the adoption of the following Resolution:

Resolved, That our Delegate in Congress be requested to procure the passage of a law, making an appropriation for the payment of the account of the said Horatio P. Vass, and that in order to aid him in effecting this object, the Chief Clerk of this House be directed to forward forthwith to our Delegate in Congress, a copy of this Resolution with the accompanying documents.

Respectfully submitted,

JAMES RIZ, Chairman.

Which was read—on his motion, the said Report was agreed to, and the rule of the House being unanimously

waived, the Resolution therewith reported, was adopted. Mr. BLOUNT from the committee on Enrolled Bills, reported as correctly Enrolled, "An act to incorporate a Bank in the county of Jackson"—which was signed by the President of the Council.

A bill to suppress frauds in Banks, was postponed, and made the order of the day for Monday next.

A bill to incorporate the Jacksonville Rail Road Company was read a second time, when the House went into committee thereon—Mr. Riz from said committee, reported progress, and asked leave to sit again, which was agreed to by the House.

Mr. Riz, asked and obtained leave, the rule being waived for that purpose, to introduce a Preamble and Resolutions—which were read, and laid on the table until to-morrow.

A bill, entitled "An act to provide for the completion of the Court House in the county of Duval, was read the second time; the House went into Committee thereon; Mr. Gautier therefrom, reported the bill amended, which was agreed to by the House, the rule being waived, the said bill was read a third time and put on its passage; the yeas and nays being thereon required by Messrs. Forbes and Ward, were yeas Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Gautier, Green, Kirkland, McKinnon, Mooring, Riz, Robinson, Smith and Ward, 14—Nays, Messrs. Blount, Forbes and Priest, 3. So the said bill is passed—Ordered that the title be as before stated.

The House went again into committee on a bill, entitled "An act giving a Lien to Mechanics in certain cases." Mr. Smith therefrom, reported progress, and asked leave to sit again on Monday next, which was agreed to by the House.

Mr. WARD offered on yesterday, a Resolution, as follows, to wit:

Resolved, That the committee on Finance be instructed to inquire into the expediency of so amending the existing laws, that individual citizens of the Territory shall not be compelled to employ an Auctioneer for the public sale of their property. Which was read and adopted.

An engrossed bill, entitled "An Act to incorporate the Tallahassee Jockey Club, for the improvement of the breed of horses"—was on motion of Mr. DuPont, recommitted to a committee of the whole House—the House went into committee thereon—Mr. Riz therefrom, reported the bill without amendment, which was agreed to by the House; the said bill was then read a third time and put on its final passage; the yeas and nays being called there-

on by Messrs. Dupont and Bulloch, were yeas Mr. President, Messrs. Blount, Forbes, Gautier, Green, Robinson and Ward, 7—Nays, Messrs. Bird, Bulloch, DuPont, Kirkland, McKinnon, Mooring, Priest, Riz and Smith, 9: So the said bill is lost.

A bill, entitled "An act to establish a Ferry over the Ocklocknee river, at or near Wright's landing," was read the second and third times, (the rule being waived) and passed—Ordered that the title be as before stated.

A bill, entitled "An act to incorporate the Town of Jacksonville, was read the second time—the House went into committee thereon—Mr. Green therefrom reported said bill as amended, which was agreed to by the House; the rule being waived, the said bill was read a third time by its title and passed—Ordered that the title be as before stated.

A bill, entitled "An act to incorporate the Presbyterian congregation at Quincy," was on motion of Mr. Bulloch, postponed and made the order of the day for Monday next.

A bill, entitled "An act for the relief of Isaac Nathans and others, was read a second time, and ordered to be engrossed for a third reading on Tuesday next.

A bill, entitled "An act for the relief of Thomas Douglas," was read the second time, and ordered for a third reading on Tuesday next.

Mr. WARD moved that the rule be waived, and that he have leave instanter to introduce a Resolution; which prevailed, no one objecting, when he offered the following, to wit:

Resolved, That the Standing Committees of this House, be excepted from the operation of the 38th rule, so far as to permit the report of bills by them, (upon any matter already referred, or to be referred within the present week) except on the three last days of the Session; the rule of the House being unanimously waived, the said resolution was read and adopted.

The House then adjourned until to-morrow, 10 o'clock,

SATURDAY, FEBRUARY 8th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. GREEN, pursuant to previous notice, asked and obtained leave to introduce the following Bills:—A bill, entitled "An act amendatory of the Charter of the Merchants & Planter's Bank of Magnolia,"—which was read and ordered for a second reading on Wednesday next.

A bill, entitled "An Act for the relief of Benj. Byrd and Robert Larkins,"—which was read and ordered for a second reading on Wednesday next.

A bill, entitled "An act to provide for the election of Governor by the people of this Territory"—which was read—ordered for a second reading on Wednesday next, and 17 copies were ordered to be written.

Mr. WARD, pursuant to previous notice, asked and obtained leave to introduce the following Bills:

A bill, entitled "An act for the relief of John A. Craig"—which was read and referred to the committee on Claims.

Also, a bill, to be entitled "An act respecting County Courts"—which was read and referred to the committee on the Judiciary.

Mr. BLOUNT, pursuant to previous notice, asked and obtained leave to introduce a bill, entitled "An act to amend the act incorporating the Trustees of the Pensacola Academy—passed Feb. 10th, 1831"—which was read and referred to the committee on Schools and Colleges.

Also a bill, to be entitled "An act to incorporate the Florida, Alabama and Georgia Rail Road Company"—which was read and referred to the committee on Internal Improvements.

A bill, to be entitled "An act to establish a Board of Wardens for the Port of Pensacola"—which was read and ordered for a second reading on Wednesday next.

Also a bill, to be entitled "An act to amend an act to incorporate the city of Pensacola—passed Feb. 9th, 1833, and approved Feb. 15th, 1833"—which was read and ordered for a second reading on Wednesday next.

Mr. SMITH, pursuant to previous notice, asked and obtained leave to introduce the following Bills:

A bill, to be entitled "An act to provide for the establishment and maintenance of a Free School in the city of St. Augustine"—which was read and referred to the committee on Schools and Colleges.

Also a bill, entitled "An act to incorporate the St. Augustine Athenæum"—which was read, and the rule being waived, made the order of the day for a second reading on to-day.

Also a bill, entitled "An act to amend an act to incorporate the Protestant Episcopal congregation in the city of St. Augustine"—which was read the first and second times (the rules of the House being waived for that purpose) and ordered for a third reading on Monday next.

Also a bill, entitled "An act to alter and fix permanently the Sessions of the Superior Court in and for the District of East Florida"—which was read the first and second times, (the rule of the House being for that purpose waived) and ordered to be engrossed for a third reading on Monday next.

Also a bill, entitled "An act in addition to the several acts, regulating Judicial proceedings"—which was read and referred to the Judiciary Committee.

Also a bill, entitled "An act in relation to the act of 1833, incorporating the city of St. Augustine"—which was read a first and second time, (the rule of the House for that purpose being waived,) and made the order of the day for a third reading on Tuesday next.

Mr. SMITH asked and obtained leave (the rule of the House being waived for that purpose) to introduce the following Bills:

A bill to be entitled "An act to facilitate the draining of lands"—which was read and referred to the committee on Agriculture.

Also a bill, entitled "An act regulating Writs of Error and Appeals to the Courts of Appeals in this Territory"—which was read and referred to the Judiciary committee.

Mr. GAUTIER asked and obtained leave, pursuant to previous notice, to introduce a bill, to be entitled "An act to incorporate Franklin Academy in Jackson county"—which was read and laid on the table.

Also a bill, to be entitled "An act to amend an act incorporating the Town of Marianna"—which was read a first and second time, (the rule of the House being for that purpose waived) and ordered for a third reading on Tuesday next.

Also a bill, to be entitled "An act concerning Washington county,"—which was read and laid on the table.

Mr. GAUTIER asked and obtained leave, (the rule of the House being waived for that purpose) to introduce, without previous notice, a bill, to be entitled "An act to dissolve the marriage contract between Martha M. Porter and Turner Porter"—which was read a first and second time, (the rule of the House being for that purpose waived) and ordered for a third reading on Wednesday next.

Mr. CHANDLER, pursuant to previous notice, asked and obtained leave to introduce the following Bills:

A bill, entitled "An act constituting a Board of Wardens for the Port of Key West"—which was read and ordered for a second reading on Wednesday next.

Also a bill, entitled "An act for the relief of Richard W. Cussans"—which was read and ordered for a second reading on Wednesday next.

Also a bill, entitled "An act in addition to the act incorporating the Lafayette Salt Company at Key West"—which was read and ordered for a second reading on Wednesday next.

Also a bill, entitled "An act to provide for the appointment of Pilots, and to regulate the rates of Pilotage at Key West, and for other purposes"—which was read and ordered for a second reading on Thursday next.

Also a bill, entitled "An act for certain purposes therein expressed"—which was read and ordered for a second reading on Tuesday next.

Also a bill, entitled "An act amendatory of the act to prevent the future migration of Free Negroes and Mulattoes in this Territory"—which was read, and ordered for a second reading on Thursday next.

Also a bill, entitled "an act to define the Northern Boundary of Monroe county"—which was read, and ordered for a second reading on Thursday next.

Also a bill, entitled "an act to incorporate the Marine Railway at Key West"—which was read, and ordered for a second reading on Thursday next.

Mr. MOORING from the majority, moved that the vote on the bill to incorporate the Tallahassee Jockey Club, by which said bill was lost on yesterday, be reconsidered; which motion prevailed; and said bill is made an order of the day for to-day.

Mr. BIRD asked and obtained leave (the rule being waived for that purpose) to introduce without previous notice, the following Bills:

A bill, entitled "An act to authorize W. B. Hooker to establish a Ferry across Suwannee river in Hamilton county"—which was read, and ordered for a second reading on Wednesday next: and

A bill entitled "An act to repeal an act entitled "an act, to amend an act, to provide for the laying out the School Lands in this Territory"—which was read,—ordered for a second reading on Wednesday next, and 17 copies are ordered to be written.

Mr. BLOUNT presented the petition of the Trustees of the Pensacola Academy, in relation to the school lands in Escambia County—which was referred to the committee on Schools and Colleges.

Mr. WARD presented the petition of E. K. Freeman, which was referred to the committee on Finance.

Mr. ROBINSON presented a Resolution, which was read and laid on the table until Monday.

Mr. WARD offered the following Resolutions:

Resolved, That the Judiciary Committee be instructed to inquire into the propriety of enacting, that the official certificates of Notaries Public, shall be *prima facie* evidence in the Courts of this Territory of the facts therein contained; and if deemed proper, report a bill therefor.

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of modifying the 46th section of an act relating to "Crimes and misdemeanors"—Passed 6th Feb. 1832—which were read, (the rule being waived,) put on their passage and adopted.

Mr. CHANDLER offered the following Resolution:

Resolved, That the committee on Finance be instructed to inquire into the expediency of laying a tax on all foreign vessels engaged in the Fisheries on the Florida Coast, and to report by bill or otherwise—which was read. (the rule being waived,) put on its passage, and adopted.

Mr. BLOUNT pursuant to previous notice asked and obtained leave to introduce a bill, to be entitled an act "supplemental to the several acts, in incorporating the Bank of Pensacola"—which was read the first and second time, (the rule being waived for that purpose,) and made an order of the day for to day.

Mr. RIZ from the Committee on Claims, made the following report:

The committee on Claims, to whom was referred the petition of Johnathan Thigpin, with exhibits, ask leave to make the following **REPORT**:

That they have investigated the claim of the said Johnathan Thigpin, and are of opinion that the claim is just, and ought to be allowed.

They therefore ask leave to report a bill for his relief.

Respectfully submitted,

JAMES RIZ, Chairman.

Which was read and agreed to.

A bill to be entitled an act for the relief of Johnathan Thigpin—was read a first and second time, and ordered for a third reading for Monday next.

Mr. CHANDLER from the Committee on Finance, made the following **REPORT**:

The Committee on Finance, to whom was referred the resolution of Mr. WARD, instructing them "to enquire into the expediency of completing the erection of the Capitol"—have had the same under consideration, and beg leave to submit the accompanying bill in relation to the subject matter referred, and pray to be discharged, &c.

EDWARD CHANDLER, Chairman.

Which was read and agreed to.

A bill to be entitled "An act to provide for the completion of the Capitol" was read—ordered for a second reading on Wednesday next, and 17 copies were ordered to be written.

Mr. WARD, from the select committee, to whom was referred the petition of John Roberts, reported a bill to be entitled "An act for the relief of John Roberts,"—

which was read, and ordered for a second reading on Tuesday next.

Mr. BLOUNT from the select Committee, to whom was referred the petition of Maria Ursula Caro, reported a bill to be entitled "An act to divorce Maria Ursula Caro from her husband Juan E. Savalle,"—which was read, and ordered for a second reading on Tuesday next.

Mr. CHANDLER, from the select committee, to whom was referred the claims of James J. Board, and Darius Clapp, made the following

REPORT :

The Select Committee, to whom was referred the accounts of Darius Clapp and James J. Board, against the Territory of Florida, beg leave to report that they have bestowed due attention upon said claims, and the certificates attached to them, and are of opinion, that the amounts charged, are of right due, and should be paid.—With these views they have prepared a bill for the relief of said James J. Board and Darius Clapp, which is herewith respectfully submitted. ED. CHANDLER,

Chairman.

Which was read and agreed to.

A bill entitled "An act for the relief of James J. Board, and Darius Clapp, was read, and ordered for a second reading on monday next.

The Resolution heretofore offered by Mr. BIRD, was, on his motion, postponed and made the order of the day for Thursday next.

A bill entitled "An act to provide for the permanent location of the seat of Justice of Walton County, and to repeal a certain act therein mentioned," was read a second and third time, (the rule being waived,) and passed—ordered that the title be as before stated.

A bill to be entitled "An act to incorporate the College of Pensacola," was read a second and third time, (the rule being waived,) and passed—ordered that the title be as before stated.

A bill to be entitled "An act directing the mode of instituting suits against corporations," was read a second time,—the House went into Committee thereon,—Mr. Forbes therefrom, reported the bill amended,—which was agreed to by the House, (the rule being waived,) the said bill was read a third time and passed—ordered that the title be as before stated.

Mr. WARD offered the following Preamble and Resolution on yesterday, to wit :

WHEREAS, the growing importance of the Port of Jacksonville and its salubrious situation on the banks of the St. Johns, combine to render it a place of resort for un-

fortunate and worn out sailors, whose wants and necessities require more ample relief than can be afforded by individual charity ; and Whereas, it should be the humane object of government to foster and protect that adventurous and useful class of our population.

Be it resolved by the Governor and Legislative Council of Florida, That our Delegate in Congress be requested to urge upon the attention of Congress the propriety of an appropriation of five thousand dollars, for the erection of a marine Hospital in the town of Jacksonville.

Which was again read and adopted.

The house again went into a Committee of the Whole, on a bill to incorporate the Jacksonville Rail Road Company,—Mr. Riz therefrom, reported progress and asked leave to sit again—which was agreed to by the House.

Mr. Riz on yesterday offered the following preamble and resolutions, to wit :

WHEREAS, the possession of a Harbour on the Atlantic coast of Florida, accessible to the largest Ships, is an object of public anxiety and national importance ; one in which every citizen of our great and growing Republic has a personal interest.—And Whereas all the advantages conferred by depth of water, security from storms and sufficient space, are presented by the harbor of St. Augustine ; which is also completely defended by Fort St. Marks from the enterprises of hostile fleets ; saving alone that the bar at its entrance requires the science and labor of man to deepen it, the practicability and importance, of which has been repeatedly urged, has been the subject of memorials to Congress, of presentations by Grand Juries, and has formed the basis of a report, recommending its improvement from an Engineer of high rank ; and whereas since this recommendation the deepening the entrances to other harbours has been prosecuted in many instances on the coast of the great inland seas of our Country with such entire success, as to leave no room to doubt that a result equally satisfactory would follow operations, judiciously conducted, to deepen the Bar at St. Augustine.—And whereas, if the improvement and security of Lake navigation, warrant the expediture of the public treasure, the reasons cannot be conjectured, on which the necessary appropriations would be withheld from this more important object at St. Augustine, a position which vessels sailing southwardly can conveniently reach, it being within a short distance of the tides of the great St. Johns, & not far from the Gulf Straam, and near also to the path pursued in its transit from west to east—of the commerce of countries yielding the most valuable products ; a position in short peculiar and striking, whether considered

with reference to health, or to the wants of our naval and commercial interests.

Be it therefore Resolved, That the Legislative Council of the Territory of Florida, considering this improvement of paramount importance, not only to the inhabitants of this Territory, but also highly desirable as regards the security and protection which it might afford in time of war, to our armed and merchant vessels, stationed or employed on that coast, do request that our Delegate lay the subject before Congress, and solicit from the munificence of that body, such appropriations as may be necessary to accomplish the object.

Be it further resolved, That the foregoing preamble and resolutions, be duly certified by the President and Clerk of this House, and forwarded forthwith to our Delegate in Congress.

Which was again read and adopted.

A bill to be entitled "An act to incorporate the St. Augustine Athenaeum," was read the second and third times, (the rule being waived,) and passed—ordered that the title be as aforesaid.

A bill to be entitled "An act to incorporate the Tallahassee Jockey Club for the improvement of the breed of horses," was recommitted to a committee of the whole—Mr. Bulloch therefrom reported said bill amended—which was agreed to by the House—the said bill was read the third time, and put upon its final passage.—The yeas and nays being called by Messrs. Bird and Gautier, were yeas Mr. President, Messrs. Blount, Bulloch, Chandler, Forbes, Gautier, Green, Kirkland, Mooring, Priest, Riz, Robinson and Ward, 13—Nays, Messrs. Bird, M'Kinnon, and Smith, 3—So the said bill is passed—ordered that the title be "An act to incorporate the Tallahassee and Quincy Jockey Clubs for the improvement of the breed of horses."

Mr. WARD presented a communication from Jesse H. Willis and Ben. Chairs—which was referred to the Committee on Finance.

The House then adjourned, until menday next, at 12 o'clock.

MONDAY, FEB. 10th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of Saturday's proceedings was read.

Mr. President laid before the House a communication from his Excellency the Governor, as follows, to wit:

EXECUTIVE OFFICE, }
February 10th, 1834. }

To the President of the Legislative Council:

Sir—I beg leave to withdraw the account transmitted by me to the Legislative Council, for services rendered by Mr. Vass in the Executive Office some time since. I feel my own honour too much involved in the settlement of this just claim, to send Mr. Vass to Congress for his compensation: The delay already has been great, and I will pay the claim, as the individual who employed him, although it was for the public interest and service. I am respectfully, your obedient servant,

WM. P. DUVAL.

Which was read and referred to a Select committee—Messrs. Ward, Dupont and Smith were appointed.

Mr. GREEN, from the committee to whom was referred the petition of Wm. Montford, reported a bill, entitled "An act for the relief of William Montford"—which was read and ordered for a second reading on to-morrow.

Mr. PRIEST presented the Presentments of the Grand Jury of Columbia and Alachua counties—which was referred to a Select—Messrs. Ward, Priest and Bulloch were appointed.

Mr. WARD presented a Preamble and Resolution, which were read and laid on the table.

Mr. CHANDLER from the committee on Finance, to whom was referred the petition of Charles Trippe, reported a bill, to be entitled "An act for the relief of Charles Trippe"—which was read and ordered for a second reading on to-morrow.

Mr. BLOUNT from the committee on Enrolled Bills, reported as correctly Enrolled:

"An act for the relief of Shannon & Ballagh."

"An act to authorize Sheriffs and Clerks of Superior and County Courts to appoint deputies."

"An act declaring Juniper creek, in the county of Escambia, a navigable stream."

"An act to establish a Ferry across the South prong of Black creek, in Duval county."

"An act to dissolve the marriage contract between Henry D. Stone and Sarah N. Stone."

"An act to amend an act, entitled 'an act to regulate the Foreclosure of Mortgages by the Courts of Common Law of this Territory, and for other purposes.'"

"An act to divorce Amelia Ann Pinder and Nicholas Pinder, from the bonds of matrimony."

+ "An act to impose a tax on the proprietors or exhibitors of Circusses, and other Shews of amusement in the Territory of Florida."

"An act regulating the Pilotage of the Port of St. Marks."

"An act to authorize the County Courts in this Territory, to appoint Inspectors of beef cattle in their respective counties."

"An act in relation to rafted Lumber adrift."

"An act to incorporate the Tallahassee Rail Road Company."

Mr. SMITH from the Judiciary committee, to whom the matters in said reports mentioned was referred, made the following

REPORTS :

The Judiciary committee, to whom was referred the memorial of Edward Barnwell, praying to be admitted to the privileges of an American citizen, having had the same under consideration, have instructed me to

REPORT :

That by the laws of this Territory, the petitioner, tho' an alien, may receive, hold and transfer property, and claim the protection of our laws as fully as an American citizen. That to shorten the period within which he may be admitted to naturalization, application should be made to Congress and not to this Council. The committee, therefore, pray to be discharged from further consideration of this subject.

Which was read and agreed to by the House.

The same committee have had under consideration the Resolution instructing them to inquire into the expediency of passing a law for the benefit of Securities in certain cases. Also a law, requiring Executors to give security for the faithful performance of their duties. And also, a law regulating the distribution of the estates of insolvent debtors; and beg leave to Report, that legislation on these subjects at the present Session, is deemed INEXPEDIENT, and pray to be discharged from further consideration of the subjects referred.

Which was read and agreed to by the House.

The same committee have had under consideration a Resolution, instructing them to inquire as to the expediency of amending or repealing the act regulating interest; and beg leave to report, that as the subject is now before a special committee of this House, upon a communication from the Governor of the Territory—further consideration from this committee is unnecessary, and they pray to be discharged therefrom.

Which was read and agreed to by the House.

The same committee have had under consideration, the

Resolutions instructing them to inquire into the propriety of enacting that, the official certificates of Notaries Public, shall be PRIMA FACIE evidence in the Courts of this Territory of the facts certified: And also, as to the propriety of modifying the 46th section of the act relating to crimes and misdemeanors—passed 6th Feb. 1832; and Report, that they believe legislation on these subjects at the present time to be inexpedient, and pray to be discharged from their further consideration.

Which was read and agreed to by the House.

Mr. SMITH from the Judiciary committee, to whom was referred a bill, to be entitled "An act respecting County Courts"—Reported that any alteration in the existing laws regulating the County Courts, is at this time inexpedient; which on motion of Mr. Ward, is laid on the table.

Mr. GAUTIER from the Judiciary committee, to whom the same had been referred—reported without amendment, a bill, entitled "An act in relation to Liens created by Judgments." Also a bill, entitled "An act amendatory to an act concerning Executions"—which were ordered for a second reading on to-morrow, and 17 copies of each are ordered to be written.

Mr. FORBES presented a Preamble and Resolution, which was read, and laid on the table until to-morrow.

A bill, entitled "An act for the relief of Jonathan Thigpin," was read the third time and passed—Ordered that the title be as aforesaid.

Mr. ROBINSON, on Saturday last, offered the following Resolution, to wit:

Resolved, That the Legislative Council of the Territory of Florida, adjourn *sine die* on Saturday the 15th Feb. inst., and that the three days allowed by a Resolution of yesterday for Standing Committees to introduce bills, end on Wednesday next. Which was again read and adopted.

A bill, entitled "An act to alter and fix permanently the sessions of the Superior Court in and for the District of East Florida," was read the third time and passed—Ordered that the title be as aforesaid.

A bill, to be entitled "An act giving a Lien to Mechanics in certain cases," was postponed and made the order of the day for to-morrow.

A bill to suppress frauds in Banks, was postponed and made an order of the day for to-morrow.

A bill, entitled "An act in addition to, and amendatory of the Charter of the Central Bank of Florida," was read the second time: the House went into committee thereon—Mr. Green therefrom reported progress, and

asked leave to sit again; which was agreed to by the House.

A bill, entitled "An act in addition to the act concerning Wills, Letters Testamentary and Letters of Administration, and the duties of Executors, Administrators and Guardians, was postponed until to-morrow.

A bill, entitled "An act to amend the Revenue Law—passed 10th Feb. 1832," was read the second time, and made the order of the day for Wednesday.

A resolution heretofore introduced by Mr. Bulloch, was on his motion laid on the table.

A bill, entitled "An act supplemental to the several acts incorporating the Bank of Pensacola," was read the third time and passed—Ordered that the title be as aforesaid.

Mr. BLOUNT offered the following Resolution, to wit:

Resolved, That the Governor be authorised to employ one of the clerks of this House, during the remainder of the Session in the Executive Office. Which was read—the rule being waived—put on its passage and adopted.

Mr. SMITH from the select committee, to whom was referred a bill, entitled "An act for the relief of Douglas Dummett, report the same to the House without amendment; which was read the second time, and ordered for a third reading on to-morrow.

Mr. President laid before the Council the following communication from his Excellency the Governor, to wit:

EXECUTIVE OFFICE,

TALLAHASSEE, February 10th, 1834. }

Hon. JOHN WARREN,

President of the Legislative Council:

Sir—I return *rejected* a bill, entitled "An act to incorporate a Bank in the county of Jackson. I consider it not improper, on this occasion, to attract the notice of the Council to the course of Legislation in this Territory, in regard to BANKS.

In 1825, I *rejected* a bill, entitled "An act to incorporate a Bank in the city of St. Augustine." And also a bill, entitled "An act to incorporate a Bank in the city of Pensacola." The Council by a vote of 6 to 3, passed these acts, after being thus rejected; but it being considered that they were not sanctioned by the majority required by the organic law, they were not regarded as valid, and neither of said Banks went into operation.

In 1828, I *rejected* a bill, entitled "An act to incorporate the Bank of Florida," to be located at Tallahassee, and to have branches in different parts of the Territory. This was also passed by the Council, after its rejection; but the Bank did not go into operation.

In 1829, the last mentioned act was repealed, and a new Bank incorporated, to be located in this Town, also to be called the Bank of Florida: This bill I also *rejected*, and gave my reasons at large, but it became a law by the requisite majority of the Council. The Bank went into operation, but its charter has since been purchased by a rival institution subsequently incorporated, is no longer exercised, and may be considered as defunct.

The same year, "An act to incorporate the Bank of West Florida," was passed after being rejected by me, the reasons for which were given in the same message, containing those for the rejection of the Bank of Florida.

In 1831, an act to incorporate a Bank in the city of St. Augustine, was also passed by the Council after rejection by me, but the Bank has never gotten into operation.

The same year, "An act to incorporate a Bank by the name and style of the Bank of Pensacola," was rejected by me, but was passed by the requisite majority. This Bank has been organised within a few weeks past, and it is to be hoped, will succeed more favourably for itself, and for the community generally, than its kindred in this Territory.

The same year, also, "An act to amend the several acts incorporating the Bank of West Florida," increasing the capital stock of the Bank to half a million of Dollars, and granting other privileges, was passed by the Council, upon the faith of golden promises of the redemption of its paper, &c. &c. which have never been fulfilled. I considered it my duty to reject these amendments, but they were granted by the Council.

In 1832, "An act to incorporate a Bank in the town of Magnolia," was passed by the Council, after rejection by Mr. Westcott, then acting as Governor. The recent deplorable failure of this Bank, is but the result then foretold to the Council.

The act incorporating the Central Bank, was also rejected by the Acting Governor at the same Session, but was passed by the Council. This institution has purchased the Charter of the Bank of Florida, as before intimated, and is believed to be solvent. It is doubted, however, whether it is of great benefit to the community generally, although its judicious and prudent management under the control of its present proprietors, is a guarantee against any losses from failure.

Last Session, an act amendatory of the several acts, incorporating the Bank of West Florida, and further increasing the Capital to a Million of Dollars! was passed

After rejection by me, but it has not had the effect promised of resuscitating the institution and restore their bills to credit.

The same session, an act extending the time for subscribing to the stock of the Bank of Pensacola, &c. was also rejected by me, but was passed by the Council.

The same session, the charter of a Bank called the Commercial Bank of Florida, was also rejected by me, but the bill was passed by the requisite majority of the Council. Whether it will be able to overcome the difficulties encountered in its struggles to get into being, or prove a total abortion, or what will be the result if it shall get into operation, is yet unknown.

At the same session, the charter of the Union Bank of Florida, although first rejected by me, was subsequently, after amendment, agreed to, as I regarded it as founded on a totally different basis, and organized on safer and more salutary principles than other Banks. I considered also that if this institution was once in successful operation, it would compel all the other Banks to act with caution and prudence.

At different times, the Executive has sanctioned amendments of a beneficial character to the charters of Banks in operation, but the foregoing statement will show that his course has been consistent and uniform in steadily opposing the establishment of these institutions, as being destructive to the well-being and prosperity of a planting and agricultural community.

The Executive has regarded these Banking corporations founded upon credit, established too often for speculating purposes—to use the language of a distinguished statesman of one of the middle States, as “a brood of sickly vipers spawned forth o’er the land to eat out the farmer’s substance.” He does not consider it expedient or necessary to do more, than refer the Council to the former messages addressed to them in rejecting the laws before-mentioned, for the reasons in detail, which have induced him to reject this act. He cannot urge them more strongly than he has heretofore done upon the Council—If they should fail of what he considers should be their proper effect, he can only appeal to the legislative records of the country for evidence, that no share of the responsibility of a course of legislation, which he sincerely believes will be mischievous and destructive to the best interests of Florida, rests upon him, and against which, he enters his solemn protest.

I have approved and filed in the Secretary’s Office, a Resolution respecting the establishment of a Marine Hospital in the town of Jacksonville, and a Resolution, asking

for an additional member of the Council from the county of Franklin, and have caused copies thereof to be forwarded to the Delegate.

I am respectfully your obedient servant,

WM. P. DUVAL.

Which was read, and thereupon, the yeas and nays were taken upon the passage of the bill, entitled “An act to incorporate a Bank in the county of Jackson,” in opposition to the vote of the Governor—Yeas, Mr. President, Messrs. Bird, Blount, Bulloch, Chandler, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Ward, 14—Nays, Messrs. Dupont, Forbes and Smith, 3. So the said bill is passed by the lawful majority.

A bill, entitled “An act to amend an act, entitled ‘An act to incorporate the Protestant Episcopal congregation in the city of St. Augustine,’” was read the third time and passed—Ordered that the title be as aforesaid.

The House again went into committee of the whole, on the bill to incorporate the Jacksonville Rail Road Company—Mr. Riz therefrom reported the bill amended, which was agreed to by the House, and said bill is ordered to be engrossed for a third reading on to-morrow.

The House then adjourned until to-morrow 10 o’clock.

TUESDAY, FEBRUARY 11th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday’s proceedings was read.

Mr. PRESIDENT laid before the Council a communication from his Excellency the Governor, as follows, to wit:

EXECUTIVE OFFICE.

TALLAHASSEE, FEBRUARY 10th, 1834.

SIR:—For several years when the duties of the Governor and Secretary of this Territory were not as onerous as at present, a law authorised the employment of a Clerk for said offices, but in ’29 from motives of economy the law was repealed, and since that period, these officers have been obliged to compensate any persons they have employed out of their private funds, except when small allowances have been made for *special* services by the general government. At present the offices of the Executive, Secretary, Treasurer, and Auditor are not occupied except during office hours on the day, and at night they are exposed to the depredations of any incendiary or mischievous person. Valuable documents and papers and in fact the original laws and journals are liable to be abstracted or destroyed by those who may be interested in their

absence or destruction. The Executive deems it his duty to bring this subject to the attention of the Council.-- In the present insecure condition of the Capitol, the responsibility of the safe preservation of the public records should be imposed upon the public officers. The accumulation of business renders the employment of a Clerk necessary, and the security of the records requires that some one should occupy the offices during the night.-- Without a law however, the Executive has no authority to employ such person.—I am Sir,

Respectfully, your ob't. ser^{vt}.
WM. P. DUVAL.

Hon. John Warren, President of the Council.

Which was read and referred to the committee on the State of the Territory.

Also, the following:

EXECUTIVE OFFICE, }
TALLAHASSEE, February 10th, 1834. }

SIR :—I have approved, signed and filed in the Secretaries' office the following bills:

"An act to amend an act, entitled, "An act to regulate the foreclosure of mortgages by the courts of Common Law of this Territory and other purposes."

"An act to impose a tax on the proprietors or exhibitors of Circuses and other shows of amusement in the Territory of Florida."

"An act for the relief of Shannon and Ballagh."

"An act in relation to rafted lumber adrift."

"An act to authorize the County Courts in this Territory to appoint inspectors of cattle in their respective counties."

"An act declaring Juniper creek in the county of Escambia a navigable stream."

"An act to establish a ferry across the south prong of Black creek at or near Whitesville in Duval County."

"An act to regulate the pilotage of the Port of St. Marks."

"An act to incorporate the Tallahassee Rail Road Company."

I have rejected the following Divorce Bills:

"An act to dissolve the marriage contract between Elizabeth Frances Thompson and John Thompson."

"An act to dissolve the marriage contract between Henry D. Stone and Sarah N. Stone."

"An act to divorce Amelia Anne Pindar and Nicholas Pindar from the bonds of matrimony."

I cannot be induced, but in the most aggravated and extreme cases imperiously demanding the interference of

the Legislature, to sanction divorce bills as I have repeatedly heretofore stated to the Council in former communications rejecting said bills.

I am with great respect,

Your most ob't. servant,
WM. P. DUVAL.

The President of the Legislative Council:

Which was read, and on motion of Mr. Chandler, laid on the table until to-morrow.

Mr. CHANDLER from the committee on Finance to whom was referred the petition of Wm. S. Mooring, Sheriff and Tax collector of Jackson county, reported a bill for the relief of Wm. S. Mooring, late Sheriff and tax collector of the county of Jackson,—which report was agreed to by the House, and said bill was read, and ordered for a second reading on to-morrow.

Mr. BIRD from the committee on Schools and Colleges, to whom the same had been referred, reported without amendment—A bill entitled "An act to provide for the establishment, and maintenance of a free school in the city of St. Augustine"—which was agreed to by the House, and said bill was read a second time and ordered for a third reading on to-morrow.

Mr. CHANDLER from the committee on Finance, to whom was referred, an enquiry touching the compilation of the laws of Florida, made the following

REPORT:

The committee on Finance to whom was referred the resolution respecting the publication of the compilation of the statutes of this Territory respectfully report,

That in answer to enquiries made by them in compliance with said resolution they have received a communication from one of the compilers, which is hereto annexed. By this communication it appears the work is nearly completed, and is expected to be ready for distribution with the laws of this session. The committee have examined the book as far as finished, and consider it well executed, in point of typography, and also that the system and arrangement adopted by the compiler has been judicious, and that the work will be valuable to the community. The book is more voluminous than was anticipated, being nearly 500 pages, and some delay has thereby, and by other causes, been occasioned, to its being finished, but as it could not have been distributed throughout the Territory till an appropriation was made by Congress, therefore, no disadvantage has resulted to the Territory. It appears also that the amount originally appropriated by Congress to defray the expenses of publication, (although the compilers render their services gratuitously,) is insufficient

of that the contractors will probably sustain a loss in consequence thereof. The committee deem it advisable and important that a publication of the laws of '33, and '34, should be made on the same plan, and in the same manner, as has been pursued in the compilation up to '32, and in order to make up the deficit in the former appropriation to the contractors and to obtain a continuance of the work in an uniform manner they herewith report a bill and resolution to the house. **EDWARD CHANDLER,**

Chairman.

Which was read and agreed to.

A bill entitled "An act for the continuation of the compilation of the laws of this Territory,"—was read, and ordered for a second reading on to-morrow.

Mr. CHANDLER offered a resolution which was read and laid on the table until to-morrow.

Mr. CHANDLER from the committee on Finance, made the following

REPORT :

The committee on Finance to whose consideration was referred a resolution in relation to the Tallahassee fund, have the honor to report, that in obedience to the directions of the House they have made such examinations into the subject matters proposed to be enquired into, as the short time allowed to them would permit, and have caused detailed statements or accounts current to be drafted, showing the true situation of the fund, from January eighteen hundred and twenty seven, to the commencement of the present year. It is believed that all the inquiries contained in the resolution, will be found to have been replied to by these accounts current, except that the mode in which the several Commissioners of that fund have discharged their duties and the exact measure of their fidelity to the trust confided to them, could not to a certainty be ascertained by the committee; these facts however, it is conceived are fully disclosed continuously in the different reports which have been made to the Council by the committees on Finance,—those reports are respectfully referred to.

The propriety of having the accounts current herewith presented printed, is submitted to the house; as also the expediency of connecting with their publication, that of an additional number of the report of the Finance committee, at the past session of this body.

Respectfully submitted,

EDWARD CHANDLER, Chairman.

Which was read and agreed to.

Mr. SMITH presented the petition of Ben. Chairs, which was referred to a select committee with the accompanying evidence, with leave to report by bill, resolution or other-

wise—Messrs. Smith, Ward and Blount, were appointed thereon.

Mr. CHANDLER presented a memorial of Ben. Chaires, which was referred to the committee on Finance.

Mr. DUPONT from the committee on Internal Improvements, to whom was referred a bill to be entitled "An act concerning roads, highways, and bridges," reported, That owing to the undigested state of the laws upon that subject, and the lateness of the present session, any legislation upon that subject at this time is inexpedient in the opinion of the committee, and prayed to be discharged—which was agreed to by the house.

Mr. WARD from the select committee, to whom was referred a communication of the Governor, touching an account of Horatio P. Vass,—reported the following preamble and resolution :

WHEREAS, it appears that there is justly due to Horatio P. Vass, for services rendered as Clerk in the Executive Office of this Territory, the sum of two hundred and seventy four dollars eighty nine cents; and whereas, it is deemed just in respect of the said claimant, that the same should be paid, although more properly chargeable to the United States, therefore,

Be it resolved that the Treasurer of the Territory be, and he is hereby authorized to pay to the said Horatio P. Vass, the said sum of two hundred and seventy four dollars eighty nine cents, and that the Delegate in Congress be requested to procure the appropriation of that amount to reimburse the Territory therefor.

Which was read, the rule being waived, was put on its passage and adopted.

Mr. WARD from the select committee to whom was referred the petition of Elizabeth Uptegrove—reported a bill entitled "An act to dissolve the marriage contract between Elizabeth Uptegrove, and Green Uptegrove,"—which report was agreed to, and said bill was read and ordered for a second reading on to-morrow.

Mr. WARD from the select committee, to whom the subject had been referred, made the following report :

The Select committee, to whom was referred the communication of his Excellency the Governor of the 4th Feb. 1834, respecting a variance discovered between the Enrolled Act of last Session, "regulating Interest," and the same act as published, beg leave to

REPORT :

That they consider it unadvisable to adopt any measure affecting the operation of the erroneously printed law during the past year, inasmuch as contracts entered into have been predicated upon the law as published, and as

parties contracting could only be supposed to have reference to the printed act. They recommend that the "Act regulating Interest," be published correctly, together with the Acts of this Session, to take effect and operation from the date of its publication.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read, and agreed to—and on motion of Mr. Ward, a select committee was appointed to prepare and report a bill in conformity therewith, the House unanimously waiving the rule for that purpose,—Messrs. Ward, Forbes, and Smith were appointed.

Mr. GAUTIER presented a resolution which was read and laid on the table until to-morrow.

Mr. BLOUNT from the committee on Enrolled Bills, reported as correctly enrolled, "An act to incorporate the Tallahassee and Quincy Jockey Clubs, for the improvement of the breed of horses."

"An act concerning patrols"

"An act to provide for the permanent location of the Seat of Justice of Walton County, and to repeal a certain act therein mentioned."

"An act to establish a ferry over the Ocklockny river at or near Wright's landing."

"An act supplemental to the several acts incorporating the Bank of Pensacola."

"An act for the relief of Jonathan Thigpin."

"An act to incorporate the Presbyterian Congregation at Quincy."

"An act directing the mode of instituting suits against corporations."

"An act to amend an act entitled "An act to provide for holding an election for Delegate to Congress from this Territory, members of the Legislative Council, and certain other officers, passed February 13th 1833."

"An act in relation to trading with slaves."

"An act to provide for the completion of the Court house in the county of Duval."

"An act to incorporate the town of Jacksonville."

"An act to establish, and regulate the rates of Pilotage for the St. Johns and Nassau rivers"

"An act to amend an act entitled "an act to incorporate the Protestant Episcopal Congregation in the city of St. Augustine."

"An act to incorporate the College of Pensacola."

A bill entitled "an act in addition to the act of 1833, incorporating the city of St. Augustine,"—was read the third time and passed—ordered that the title be as before stated.

A bill entitled, "an act for the relief of Isaac Nathans and others,"—was read a third time and passed—ordered that the title be as before stated.

A bill entitled "An act incorporating the town of Marianna"—was read the third time and passed—ordered that the title be as before stated.

A bill entitled "An act for certain purposes therein expressed," was read the second and third times, (the rule being waived) and lost.

A bill entitled "An act for the relief of John Roberts," was read a second time, and ordered for a third reading on to-morrow.

A bill entitled "An act to divorce Maria Ursula Caro from her husband Juan E. Lavalley"—was postponed and made the order of the day for to-morrow.

A bill entitled "An act for the relief of William Montford"—was read the second and third times, (the rule being waived,) and put on its final passage—the yeas and nays being thereon called by Messrs. DuPont and Smith, were yeas, Messrs. Bird, Chandler, Gautier, Green, Mooring, Robinson and Ward, 7—nays, Mr. President, Messrs. Blount, Bulloch, DuPont, Forbes, Kirkland, M'Kinnon, Priest, Riz and Smith, 10—so the said bill is lost.

Mr. WARD offered the following preamble and resolution, on Saturday—which was again read and adopted:

WHEREAS, the Congress of the United States has heretofore erected at the mouth of the river St. Johns, a Light House, which from some imperfection in its location and construction has been destroyed by the storms of the past year,—And whereas, the produce of the country, bordering on the St. Johns, renders the commerce of that river an object of importance, worthy the liberal protection of Government; and whereas, the speedy erection of another light house is indispensable to the safety and protection of this commerce, therefore,

Be it resolved, that our Delegate in Congress be requested to procure an appropriation, sufficient for the erection of a light house at the mouth of the river St. Johns; and that a copy of this resolution, signed by the President, and certified by the Clerk of this House, be forthwith transmitted to our Delegate in Congress.

A bill entitled "An act for the relief of Thomas Douglas," was read the third time and passed—ordered that the title be as aforesaid.

A bill, entitled "An act in relation to Liens created by Judgments," was read the second time—The House went into committee thereon—Mr. Chandler there reported the bill without amendment, which was agreed to by the House—the rule being waived, said bill was

read a third time,—the yeas and nays being required on its passage by Messrs. Green and Smith—were yeas, Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 15—Nays, Mr. Green, 1. So the said bill is passed. Ordered that the title be as aforesaid.

A bill, entitled "An act for the relief of Charles Trippe," was read the second and third times—the rule being waived, and passed. Ordered that the title be as aforesaid.

A bill, entitled "An acting amendatory to an act concerning Executions," was postponed until to-morrow.

Mr. FORBES on yesterday, offered a Resolution, as follows:—

"Whereas, Blackwater River, emptying into Escambia Bay, in the county of Escambia, is one of considerable importance in a commercial point of view, particularly as regards the lumber trade, and the large quantity of naval stores, which will ere long be manufactured upon its waters; but in its present situation, its navigation is much obstructed by fallen trees and accumulations of other matter: And whereas, it has been the policy of the General Government, to aid the Territories in improvements of a general nature, and tending to facilitate commerce, and develop the natural resources of the country—Therefore be it

Resolved by the Legislative Council of the Territory of Florida, That the Delegate from Florida be requested to use his exertions to obtain the passage of an act, making an appropriation of Two Thousand Dollars for the improvement and clearing out said River: And that this Resolution be duly signed and forwarded to the Delegate from this Territory.

Which was again read and adopted.

A bill, entitled "An act giving a Lien to Mechanics in certain cases," was again taken up in committee of the whole—Mr. Smith from said committee, reported said bill to the House, with all but the enacting clause stricken out:—upon the question of agreeing to the report of the committee of the whole, the yeas and nays were required by Messrs. Ward and Forbes, and were yeas Mr. President, Messrs. Bird, Bulloch, Gautier, Green, Kirkland, Riz, Robinson and Smith, 9.—Nays, Messrs. DuPont, Forbes, McKinnon, Mooring, Priest and Ward, 6. So the said report is agreed to, and the bill is lost.

A bill to "Suppress frauds in Banks," was on motion of Mr. Smith, indefinitely postponed.

A bill, entitled "An act to establish a Tariff of Fees,"

was read the first and second times—the rule being waived, and ordered for a third reading on Thursday, and 17 copies are ordered to be written.

Mr. SMITH from the Judiciary committee, reported a bill, entitled "An act in addition to the several acts now in force, regulating Judicial proceedings," without amendment—which was read the second time, and made the order of the day for Thursday next, and 17 copies are ordered to be written.

Mr. WARD from the Select committee appointed on the subject, reported a bill, entitled "An act to provide for the correction of an error in the publication of the Statutes of 1833"—which was read and ordered for a third reading on to-morrow.

A bill, entitled "An act in addition to and amendatory of the charter of the Central Bank of Florida," was again taken up in committee of the whole—Mr. Gautier therefrom, reported the same without amendment, which was agreed to by the House, and the said bill was read a third time; the yeas and nays being required on the passage thereof by Messrs. Blount and Ward, were yeas Mr. President, Messrs. Bulloch, DuPont, Gautier, Green, Kirkland, Mooring, Priest, Riz, Robinson, Smith and Ward, 12—Nays, Messrs. Blount, Forbes and McKinnon, 3. So the said bill is passed. Ordered that the title be as aforesaid.

A bill, entitled "An act in addition to 'an act concerning Wills, Letters Testamentary and Letters of Administration and the duties of Executors, Administrators and Guardians,'" was read the second time, when the House went into committee thereon—Mr. Forbes from the committee reported progress, and asked leave to sit again—which was agreed to by the House.

A bill, entitled "An act to alter and fix permanently the sessions of the Superior Court, in and for the District of East Florida," was on motion of Mr. Smith, ordered to be reconsidered, and was committed to a committee of the whole—Mr. Blount from said committee, reported the bill amended, which was agreed to by the House, and said bill is ordered to be engrossed for a third reading on to-morrow.

A bill, entitled "An act for the relief of Douglas Dummett," was read the third time and passed. Ordered that the title be as aforesaid.

The President laid before the Council, the following communication from his Excellency the Governor:

EXECUTIVE OFFICE,

TALLAHASSEE, February 11th, 1834. }

Sir—I have approved, signed, and filed in the Secretary's Office, the following Acts:

"An act supplementary to the several acts incorporating the Bank of Pensacola."

"An act to establish and regulate the rates of Pilotage for the St. John's and Nassau Rivers."

"An act to amend an act, entitled an act to incorporate the Protestant Episcopal congregation in the city of St. Augustine."

"An act to provide for the permanent location of the Seat of Justice of Walton county, and to repeal a certain act therein named."

"An act to incorporate the College of Pensacola."

"An act to establish a Ferry on the Ocklocknee river, at or near Wright's landing."

"An act for the relief of Jonathan Thigpen."

"An act to incorporate the Presbyterian congregation at Quincy."

"An act to incorporate the Tallahassee Jockey Club, for the encouragement of the breed of horses."

"An act concerning Patrols."

"An act to incorporate the Town of Jacksonville."

"An act directing the mode of instituting suits against corporations."

"An act to amend an act, entitled an act to provide for holding an election for Delegate to Congress from this Territory, Members of the Legislative Council, and certain other officers—passed Feb. 13th, 1833."

"An act in relation to trading with Slaves."

"An act to provide for the completion of the Court House in the county of Duval."

I am sir, very respectfully, your ob't serv't,

WM. P. DUVAL.

Hon. JOHN WARREN, President of the Council.

Was read.

The House then adjourned until to-morrow, 10 o'clock.

WEDNESDAY, FEBRUARY 12th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. WARD presented the petition of Ede Van Evour, which was referred, with the accompanying evidence to the committee on Claims.

Mr. GAUTIER offered the following Memorial and Resolution, to wit:

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The Memorial of the Legislative Council of Florida, respectfully sheweth, That by reason of the recent settlement of this Territory, and the sparseness of its population and other disadvantages incident to a new country, the people of this Territory are unable to undertake without aid from your honourable body, the many important public improvements so necessary to their welfare, and of which Florida is more eminently susceptible with certain prospect of advantage, than any other portion of the Union.

The people of Florida, whom your Memorialists represent, and in whose behalf they now address the National Legislature, conceive they have a just right to ask at the hands of Congress such assistance. An appeal to the United States as our parent government for necessary support and help, will not, we are persuaded, be totally unheard and disregarded. A large portion of the lands in Florida are suitable, and its climate (as has been proved by the unerring test of experience) favourable to the profitable cultivation of the sugar cane and the manufacture of sugar. Many of our enterprising planters, notwithstanding they commenced the experiment under the most serious disadvantages, comparatively unacquainted with the mode of cultivating the plant and manufacture of the article, have so succeeded in both as to excite the most sanguine and flattering anticipations of the future prosperity and wealth of Florida. The time, it is believed, is not far distant when, if the sugar planters of Florida, Louisiana, Mississippi and Georgia, are afforded but a little of that countenance and aid from the National Government, which has been so liberally extended to other interests, they will be enabled to furnish a sufficiency of sugar for the consumption of our whole country, and at a cost reduced from that of the present importation.

The possibility and even probability of such a result, affords a cogent appeal, not only to the patriotism, but to the interests of our common country.

The accomplishment of this object, is of such paramount importance, as to justify under different circumstances of prosperity, and when our condition as a nation should be less flourishing than at present, the extension by the National Legislature of the most liberal aid towards it. But at a time when the coffers of our national Treasury are overflowing, when the chief contention among our statesmen seems to be as to the disposition of

the surplus, there should be no hesitancy in contributing a small portion of the common fund to be thus applied to the aid and on account of the general interests—the National Government are yet the proprietors of more than nineteen-twentieths of all the lands in Florida.

Apart from the duty of protection devolving on the United States, and laying aside the considerations of justice and patriotism, it is respectfully submitted that the citizens of Florida, the proprietors of the remaining twentieth have a well grounded right to claim of the General Government a fair and *pro rata* contribution towards the cost of all works conducive to the improvement, and calculated to enhance the value of its domain. The propriety and force of this argument must be admitted by every just and unprejudiced mind.

In no other section of the Union where the aid sought could be rendered, (without encountering constitutional objections from many enlightened statesmen) does the same obvious and imposing necessity exist for the assistance of Congress, in bringing into beneficial action the resources of the country, as in Florida, except at two or three points: Our Territory has been inhabited principally by the red sons of the forest, till since its purchase by this Government from Spain. But little inducement existed, had opportunity and means been afforded the former white population of Florida, to remove the obstructions which impede the safe and easy navigation of most of our rivers.

Different circumstances enabled and induced the first settlers of Louisiana, and other parts of the Union, to construct many of the most necessary of their artificial works required to give life and vigour to the superior natural advantages of the country. Hence it is, those sections are a quarter of a century in advance of Florida in agricultural improvement. The accumulated labours of the two last generations, are now upon our hands. What the first settlers of other parts of the Union performed for the population that has succeeded them, it devolves upon us to do for ourselves and the future citizens of Florida. The aid rendered by the French government at the early settlement of Louisiana in the construction of the levees on the Mississippi, and the general improvement of the country, was of the most liberal character and is yet beneficially felt by the inhabitants. To that aid is attributable in no small degree, the rapid but permanent advancement and steadily increasing prosperity and wealth of that State. With similar assistance from the National Government, the labour of the citizens of Florida, will produce equal, if not more beneficial results. Without

such assistance, all expectation of the construction of any, but a few of the least expensive and most unimportant improvements, for the causes stated, must be abandoned. A quarter of a century at least must elapse before we shall have the wealth and strength to undertake the principal works unaided and alone. This Legislative Council indulge the hope, that the enlightened representatives of a great, enterprising and free people, and in the full tide of prosperity, will not defer to a future generation, the glory of thus laying the foundation of an enduring testimonial of their forecast and wise liberality. They trust that the enjoyment of the invaluable benefits in certain prospect to ourselves and those who come after us, resulting from such improvements, may not be postponed, as in the period of infancy, we most feel the necessity of such aid. These general arguments are urged by your Memorialists, as favourable to all applications for aid in the improvement of this Territory, by deepening our harbours, removing obstructions in our navigable rivers, constructing rail roads and cutting canals.

The particular object of this memorial is, however, to ask from the general Congress, an appropriation of nine thousand dollars, to be expended in clearing out the river Chipola, in West Florida, from its mouth to the national bridge on said river, contiguous to the town of Marianna.

This river, with the appropriation above, increased by the gratuitous aid of the citizens residing near it, can be made navigable for large keel boats to the point before-mentioned. The character of the obstructions to be removed, and an estimate of the cost upon which the foregoing statement is predicated, is to be found in a communication from an efficient and intelligent engineer in the service of the United States; a copy of which, is herewith annexed; and which, together with a petition, asking said appropriation, signed by a numerous and respectable portion of the people of West Florida, has been heretofore forwarded to our Delegate in Congress.

To the document hereunto appended, your memorialists refer as showing the importance and beneficial character of the work contemplated.

Your memorialists would, however, in addition mention one or two facts, not specially noticed in said communication, and which it is respectfully submitted, should be entitled to the peculiar attention of Congress. Experience has proved, that if sugar is transported when new, any considerable distance by land and in ordinary wagons, the costs thereof is not only greatly increased, but the article itself depreciates in quality. Owing to this circumstance, and the obstructions before mentioned, existing to

the safe navigation of most of our streams, a considerable portion of the best sugar lands in Florida, have not yet been appropriated to the culture of the cane.

It is, as yet, only in the immediate vicinity of the principal waters, that our sugar planters have ventured to establish themselves. This difficulty exists as to the cultivation of but few other products, and an important argument is thereby afforded in favour of improvements in Florida, not applicable to sections where the sugar cane cannot be cultivated.

At the head of the Chipola river, there is a large body of rich land, equal in fertility and as eminently and peculiarly adapted to the culture of the cane, as perhaps any to be found on our Southern coast. A considerable portion of these lands are now the property of Government, but the contemplated improvement of the Chipola, would no doubt enhance their value, and occasion a speedy sale.

Wherefore, your memorialists in behalf of the people of Florida, generally, and specially in aid of those who reside near the Chipola, ask from your honourable bodies, the appropriation as aforesaid.

Resolved, That the above memorial be signed by the President and certified by the chief Clerk of this House; and that the same, together with the accompanying document, be forthwith forwarded to our Delegate in Congress.

Which was read, and the rule of the House being waived, was put on its passage and adopted.

Mr. GREEN presented a Preamble and Resolution, which was read and laid on the table until to-morrow.

Mr. WARD presented a Preamble and Resolution, which was read, and laid on the table until to-morrow.

Mr. ROBINSON from the committee on Agriculture, to whom the same had been referred, reported a bill, to be entitled "An act to facilitate the draining of lands"—which was read the first and second time, (the rule being waived) and ordered for a third reading on to-morrow, and 17 copies are ordered to be written.

Also a bill, entitled "An act to amend the several acts in relation to the driving or bringing into this Territory neat cattle, belonging to persons or citizens of the several States"—which was read and ordered for a second reading on to-morrow.

Mr. SMITH from the Judiciary committee, to whom was referred the bill, entitled "An act regulating the mode of proceeding on Attachments;" reported a substitute for said bill, with the same title; which was read the second time—made the order of the day for to-morrow, and 17 copies are ordered to be written.

Mr. WARD from the committee on the State of the Territory, made a report, accompanied with a Resolution, which was read and laid on the table until to-morrow.

Mr. BIRD from the committee on Schools and Colleges, to whom the same had been referred, reported without amendment, a bill, entitled "An act to amend the act incorporating the Trustees of the Pensacola Academy, passed February 10th, 1831"—which was read the second time, and ordered for a third reading on to-morrow.

Mr. WARD from the committee on the State of the Territory, to whom the subject was referred, reported a bill, entitled "An act to provide for submitting to the people of this Territory, the question of State Government"—which was laid on the table.

Mr. RIZ from the committee on Claims, made the following Report:

The committee on Claims, to whom was referred a bill, to be entitled "An act for the relief of John A. Craig, with his account for medical services rendered to David S. Rogers, while confined in the Jail of Leon county in 1831 and '2, on a charge of murder, and afterwards convicted and executed," have the honour to

REPORT:

That in the investigation of this claim, they considered it important to the interests of the Territory, to ascertain the amount charged by various medical gentlemen for attendance on said prisoner—that they find an account of \$65 was allowed last session to Dr. Coleman, for medical attendance on prisoners in jail, in Leon county in 1831; the principal part of which account, appears on inquiry to have been founded upon services rendered to the said Rogers; but as the account of Dr. Coleman, examined and approved by the Judge of the Middle District, (as alleged) appeared to have been lost—The Council last session passed an act for his relief.

The account of Dr. Craig, now referred to your committee, has no endorsement of having been examined and approved by the Judge of this District, but contains a certificate of the jailor, that Dr. Craig attended on said prisoner.

Your committee have also to report, that there is still another account for medical services rendered to said prisoner, amounting to \$7, which has been rejected by the Auditor.

Your committee have further to report, that they are informed that Rogers was in the habit of requiring the attendance of medical men whenever he thought proper; and they were also informed, that his friends are abundantly able to pay for the services rendered to him.

Your committee are therefore of opinion, that these accounts should have been paid by the friends of the prisoner, and that the Territory ought not to pay accounts, amounting to \$105 50, for attending probably on one prisoner, unauthorised as that attendance appears to have been by the proper authority. Your committee pray therefore to be discharged from any further consideration of the subject.

Respectfully submitted,

JAMES RIZ, Chairman.

Which was read and agreed to.

Mr. BLOUNT from the committee on Enrolled Bills, reported as correctly Enrolled:

"An act for the relief Thomas Douglas."

"An act for the relief of Isaac Nathans and others."

"An act for the relief of Charles Trippe."

"An act in addition to, and amendatory of the Charter of the Central Bank of Florida."

"An act to incorporate the St. Augustine Athenæum."

"An act in relation to liens created by Judgments": and

"An act for the relief of Douglas Dummett."

Which were signed by the President.

A bill, entitled "An act amendatory of the Charter of the Merchants & Planter's Bank of Magnolia," was read the second time—the House went into committee thereon: Mr. Gautier therefrom reported progress, and asked leave to sit again—which was agreed to by the House.

Mr. CHANLER from the committee on Finance, made the following

REPORT:

The committee on Finance to whose consideration were referred the annual reports of the Treasurer and Auditor, together with that of the Commissioner of the Tallahassee fund, as also sundry petitions respecting the Territorial taxes, have the honor to report, that for some time past they have been assiduously engaged in accordance with those references in examining those reports in detail and in inquiring into the expediency of abolishing the taxes. The attention of the committee having first been directed to the report and accounts of the Auditor. A strict scrutiny of these accounts shewed that they corresponded precisely with those of the Treasurer, although it was perceived, and with satisfaction that they were kept differently. It may be observed, however, that the committee had no other difficulty, than the labour of the undertaking, in arriving at a correct knowledge of the state of the fiscal concerns of the Territory. The committee find that the Auditor has in obedience to the act of the 17th of February 1833, transferred into the books of the Auditor, all

the arrears due the Territory, up to 1st May 1832, and that he has transmitted to the District Attornies in the several Judicial Districts, properly authenticated accounts against all persons in arrears to the Territory in obedience to the provisions of that act.

It appears by the Report of the Board of Treasury commissioners, made to the last Legislative Council, that there were then in circulation and unredeemed of Treasury script the sum of \$1559 41, since which time there has been redeemed, and passed over into the hands of the committee the sum of \$987 50, leaving yet in circulation, and unredeemed the sum of \$571 91 cts.

In reference to the accounts presented to the Council showing the transactions of the Treasury Department, the committee would observe, that proper vouchers have been duly presented to them for every particular item charged in the list of disbursements. It will be perceived that the amount of Treasury notes, which have been redeemed during the last fiscal year, is \$433 50,—the arrears due by the Territory and paid on the certificates of the commissioners for Treasury notes taken in are \$476 70 1-2—the interest allowed on the notes of the Treasury, which have been redeemed \$48 77 1-2,—arrears by way of interest on the certificated notes taken in \$68 74,—Amount of expenses in prosecuting criminals in the middle District of Florida, and paid on the checks of the Auditor \$768 39,—arrears due on commissioners certificate of and for the same \$267 25,—Expenses in selecting the seat of Government, as per act of the Council & paid on the check of the Auditor \$90,—arrears due by the Territory for the salary of officers \$143 17,—amount paid on the St. Marks fund \$335 35—expenses of the said Department including the postage account \$53 79 3-4,—Expenses of prosecuting criminals in the Eastern District of Florida \$245 11 1-2,—amount paid on the certificate of the commissioners \$3 25,—amount of uncurrent notes \$72 00—this amount paid for the salaries of different officers \$215 56 3-4,—amount of arrears paid on certificate \$130 25,—Expenses of elections settled \$61 50,—auditors check \$6,—Expenses of Treasury commissioners \$100, and for collecting revenue in the Western District \$15, making in all, the sum of \$4357 90, including the sum of \$11 57 1-2. The credits of the Treasury during the same period, amounted to \$4444 83, so that the balance in cash in the Treasury at the end of the fiscal year was \$86 93. The suggestions made to the committee by the Treasurer, on the subject of Auctioneers, will be found to have been attended to by the

provisions of a bill to raise a revenue—which is herewith submitted.

A further amount of \$554 of Treasury notes redeemed since the commencement of the present fiscal year has with the said sum of \$433 50 been placed in the hands of the committee for their final disposition, they beg leave to submit a resolution. The committee in the course of their deliberations concluded that the five 40 acre lots of land formerly called the Walton land, and which still is the property of the Territory, should be disposed of either by sale or lease, as it brings no income in its present state into the Treasury. For this purpose also a bill has been prepared and is now submitted. The accounts of the commissioner of the Tallahassee fund have been examined, and all the charges made therein, are properly sustained by vouchers. There now appears to be remaining of that fund in the hands of the commissioner the sum of \$23,483 46-100, of which \$376 66-00 are in actual cash. But of the whole sum, it is believed that there will be a loss sustained of about \$4260 or thereabouts. Nearly thirteen thousand dollars of the fund are secured by liens on lots in the city of Tallahassee, and the loss apprehended, will if there be any, arise from the depreciation of the value of this property and in some measure from the insolvency of the purchasers.

On the subject of abolishing the Territorial Taxes, the Committee are of opinion, that although objections under other circumstances, might reasonably be made, yet it is conceived that the faith of the Territory is pledged for the redemption of its debts, and at this time it is inexpedient to interfere with the existing laws, except so far as the present system may be affected by the bill herewith presented on the subject of the revenue.

All of which is respectfully submitted.

ED. CHANDLER, Chairman.

Which was read and agreed to.

Resolved, That the committee on Finance be instructed to burn in the Legislative Hall, in the presence of the members of the Legislative Council, all the Treasury script which has been redeemed by the Treasurer, referring to report for the amount thereof redeemed on the 30th November 1833, and the amount redeemed since that day, and report the same to the Legislative Council.

Which was read, and the rule being waived, adopted—and in conformity therewith, the sum of \$937 50 cents of Treasury script was burnt in the presence of the Legislative Council forthwith.

Mr. CHANDLER from the committee on Finance, reported the following Bills, viz:

"A bill, entitled "An act concerning the Auditor of the Territory of Florida."

A bill, entitled "An act to amend the several acts to raise a Revenue, for the Territory of Florida": and

A bill, entitled "An act to provide for the sale of certain Lands belonging to the Territory"—which were severally read, and ordered for a second reading on to-morrow, and 17 copies of each are ordered to be written.

A bill, entitled "An act for the relief of Benjamin Byrd and Robert Larkins," was read the second time and laid on the table.

Mr. CHANDLER from the committee on Finance, to whom was referred the petition of E. K. Freeman, made the following

REPORT:

The committee on Finance, to whose consideration was referred the petition of Ezekiel K. Freeman, take occasion to Report,

That they cannot recommend relief in the premises as the same are set forth, in as much as there has been no testimony adduced before the committee in support of the facts alleged; and for the additional reason, that the facts as stated, are not such as would authorise the committee to set a dangerous precedent.

EDWARD CHANDLER, Chairman.

Which was read and agreed to by the House.

Mr. President laid before the House the following communication from his Excellency, to wit:

EXECUTIVE OFFICE,

TALLAHASSEE, February 10th, 1834. }

Sir—I return *rejected*, "An act in addition to and amendatory of the Charter of the Central Bank of Florida."

On my first consideration of this act, I was induced to approve it upon the principle which I have on various occasions sanctioned, of allowing Banks *already in operation*, such amendments to their charters, as experience proved advisable or necessary, without however increasing the evil of Banking; but on further reflection, when I consider that the Central Bank has sometime since purchased the Charter of the Bank of Florida, and now holds it, dormant it is true, with the power to revive it at pleasure: And when I consider also that this law will enable the Central Bank to transfer their capital chiefly to the city of Appalachicola, if they can make a profitable sale of their privileges, and immediately resuscitate the Bank of Florida, and operate upon that in this place—thus *indirectly* creating additional Banking capital. I cannot approve it.

without an express surrender of the Charter of the Bank of Florida.

I am respectfully, Sir, your ob't. ser'vt.

WM. P. DUVAL.

Which was read; and thereupon, the yeas and nays were taken against the veto of the Governor upon the passage of the bill, entitled "An act in addition to, and amendatory of the Charter of the Central Bank of Florida"—Upon motion of Mr. Bulloch, yeas Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Gautier, Green, Kirkland, Mooring, Priest, Robinson and Ward, 12—Nays, Blount, Forbes, McKinnon, Riz and Smith, 5.—So the said act is passed by the lawful majority.

Also a communication, containing Executive nominations—whereupon the House went into secret session, when the following was read:

EXECUTIVE OFFICE, }

TALLAHASSEE, FEBRUARY 12th. 1834. }

SIR:—I nominate for Washington County, as Justice of the Peace, Elijah Robbins, Sen., F. Miller, William Bryant, John M. Long, Miles Everitt.

Notary Public, Henry Penny.

Auctioneer, William W. Bell.

For Franklin County, as Judge of the County Court, Nathan Baker.

As Justices of the Peace, Robert C. Adams, Joseph B. Lockett.

As Notaries Public, William D. Price, Gabriel J. Floyd, Warham Cromwell.

I am Sir, very respectfully,

Your obedient servant,

WM. P. DUVAL.

The President of the Legislative Council.

And the House consented to, and advised the nominations therein contained—when the door was again opened.

On motion of Mr. Blount, the yeas and nays were taken upon the passage of the following Acts, in opposition to the veto of the Governor, communicated to this House on yesterday. "An act to divorce Amelia Ann Pindar and Nicholas Pindar from the bonds of matrimony"—Yeas Mr. President, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest and Robinson, 9—Nays Messrs. Bird, DuPont, Forbes, Green, McKinnon, Riz, Smith and Ward, 8. The said act not being passed by the legal majority of two-thirds, is lost.

"An act to dissolve the marriage contract between Henry D. Stone, and Sarah N. Stone"—Yeas, Mr. Pre-

sident, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest, Robinson and Ward, 10—Nays, Messrs. Bird, Dupont, Forbes, Green, McKinnon, Riz and Smith, 7. The said act not being passed by the legal majority of two-thirds, is lost.

"An act to dissolve the marriage contract between Elizabeth Frances Thompson and John Thompson"—Yeas, Mr. President, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest and Robinson, 9—Nays, Messrs. Bird, DuPont, Forbes, Green, McKinnon, Riz, Smith and Ward, 8. The said act not being passed by the lawful majority of two-thirds, is lost.

A bill, entitled "An act to establish a Board of Wardens for the Port of Pensacola," was read a second time; the House went into committee thereon—Mr. Smith therefrom, reported a substitute for said bill, with the same title, which was agreed to by the House—the rule being waived, the said bill was read the third time and passed. Ordered that the title be as before stated.

A bill, entitled "An act constituting a Board of Wardens for the Port of Key West," was read the second and third time, (the rule being waived) and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act in addition to the act incorporating the La Fayette Salt Company at Key West," was read the second and third time, (the rule being waived) and passed. Ordered that the title be as before stated.

A bill, entitled "An act to dissolve the marriage contract between Martha M. Porter and Turner Porter," was on motion of Mr. Gautier, postponed until the 4th of July next.

A bill, entitled "An act to provide for the Election of Governor by the People of this Territory," was read the second time, the House went into committee thereon—Mr. Bulloch from said committee, reported progress, and asked leave to sit again, which was agreed to by the House.

A bill, entitled "An act for the relief of Richard W. Cussans," was read the second and third time, (the rule being waived) the yeas and nays being called on its passage by Messrs. Blount and Forbes, were yeas Mr. President, Messrs. Bird, Bulloch, Chandler, McKinnon, Mooring and Robinson, 7—Nays, Messrs. Blount, DuPont, Forbes, Gautier, Green, Kirkland, Priest, Riz, Smith and Ward, 10. So the said bill is lost.

A bill, entitled "An act to repeal an act, entitled 'An act to amend an act, to provide for the laying out the School Lands in this Territory,'" was read the second

without an express surrender of the Charter of the Bank of Florida.

I am respectfully, Sir, your ob't. ser'vt.

WM. P. DUVAL.

Which was read; and thereupon, the yeas and nays was taken against the veto of the Governor upon the passage of the bill, entitled "An act in addition to, and amendatory of the Charter of the Central Bank of Florida"—Upon motion of Mr. Bulloch, yeas Mr. President, Messrs. Bird, Bulloch, Chandler, DuPont, Gautier, Green, Kirkland, Mooring, Priest, Robinson and Ward, 12—Nays, Blount, Forbes, McKinnon, Riz and Smith, 5.—So the said act is passed by the lawful majority.

Also a communication, containing Executive nominations—whereupon the House went into secret session, when the following was read:

EXECUTIVE OFFICE,

TALLAHASSEE, FEBRUARY 12th. 1834. }

SIR:—I nominate for Washington County, as Justice of the Peace, Elijah Robbins, Sen., F. Miller, William Bryant, John M. Long, Miles Everitt.

Notary Public, Henry Penny.

Auctioneer, William W. Bell.

For Franklin County, as Judge of the County Court, Nathan Baker.

As Justices of the Peace, Robert C. Adams, Joseph B. Lockey.

As Notaries Public, William D. Price, Gabriel J. Floyd, Warham Cromwell.

I am Sir, very respectfully,

Your obedient servant,

WM. P. DUVAL.

The President of the Legislative Council.

And the House consented to, and advised the nominations therein contained—when the door was again opened.

On motion of Mr. Blount, the yeas and nays were taken upon the passage of the following Acts, in opposition to the veto of the Governor, communicated to this House on yesterday. "An act to divorce Amelia Ann Pindar and Nicholas Pindar from the bonds of matrimony"—Yeas Mr. President, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest and Robinson, 9—Nays Messrs. Bird, DuPont, Forbes, Green, McKinnon, Riz, Smith and Ward, 8. The said act not being passed by the legal majority of two-thirds, is lost.

"An act to dissolve the marriage contract between Henry D. Stone, and Sarah N. Stone"—Yeas, Mr. Pre-

sident, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest, Robinson and Ward, 10—Nays, Messrs. Bird, Dupont, Forbes, Green, McKinnon, Riz and Smith, 7. The said act not being passed by the legal majority of two-thirds, is lost.

"An act to dissolve the marriage contract between Elizabeth Frances Thompson and John Thompson"—Yeas, Mr. President, Messrs. Blount, Bulloch, Chandler, Gautier, Kirkland, Mooring, Priest and Robinson, 9—Nays, Messrs. Bird, DuPont, Forbes, Green, McKinnon, Riz, Smith and Ward, 8. The said act not being passed by the lawful majority of two-thirds, is lost.

A bill, entitled "An act to establish a Board of Wardens for the Port of Pensacola," was read a second time; the House went into committee thereon—Mr. Smith therefrom, reported a substitute for said bill, with the same title, which was agreed to by the House—the rule being waived, the said bill was read the third time and passed. Ordered that the title be as before stated.

A bill, entitled "An act constituting a Board of Wardens for the Port of Key West," was read the second and third time, (the rule being waived) and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act in addition to the act incorporating the La Fayette Salt Company at Key West," was read the second and third time, (the rule being waived) and passed. Ordered that the title be as before stated.

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A bill, entitled "An act to provide for the Election of Governor by the People of this Territory," was read the second time, the House went into committee thereon—Mr. Bulloch from said committee, reported progress, and asked leave to sit again, which was agreed to by the House.

A bill, entitled "An act for the relief of Richard W. Cussans," was read the second and third time, (the rule being waived) the yeas and nays being called on its passage by Messrs. Blount and Forbes, were yeas Mr. President, Messrs. Bird, Bulloch, Chandler, McKinnon, Mooring and Robinson, 7—Nays, Messrs. Blount, DuPont, Forbes, Gautier, Green, Kirkland, Priest, Riz, Smith and Ward, 10. So the said bill is lost.

A bill, entitled "An act to repeal an act, entitled 'An act to amend an act, to provide for the laying out the School Lands in this Territory,'" was read the second

time—the House went into committee thereon—Mr. Green therefrom reported progress, and asked leave to sit again, which was agreed to by the House.

A bill entitled “An act to amend the revenue law passed 10th Feb. 1832”—was on motion of Mr. Ward laid on the table.

Mr. PRESIDENT laid before the House, the following communication from his Excellency the Governor :

EXECUTIVE OFFICE,

TALLAHASSEE, February 12th, 1834. }

SIR :—I have received and caused to be filed in the Secretary's Office, the act entitled “An act to incorporate a Bank in the County of Jackson,” passed by the requisite majority of the Council, after its rejection by me.

I have approved, signed and filed in the Secretary's office,

- “An act for the relief of Thomas Douglass.”
- “An act to authorize Sheriffs and Clerks of Superior and County Courts to appoint Deputies.”
- “An act in relation to liens created by Judgments.”
- “An act to incorporate the St. Augustine Athenæum.”
- “An act for the relief of Isaac Nathans and others.”

Your ob't. servant,

WM. P. DUVAL.

Hon. JOHN WARREN,

President of the Legislative Council.

Which was read.

A bill entitled “An act, for the continuation of the compilation of the laws of this Territory”—was read the second time, and ordered for a third reading on to-morrow.

Mr. GAUTIER offered on yesterday the following Resolution :

Resolved, That the committee on Printing be authorized to contract for the printing five hundred copies of the election law, as passed at the last, and amended at the present session,—as also five hundred copies of the form of the certificate of the Inspectors—and that said laws & forms, when published, shall be forwarded by the Governor to the judges of the respective County Courts, in proportion to the wants of such county, to be by them distributed to the inspectors of elections in each County.

Which was again read and adopted.

On motion of Mr. Forbes, the following bills were indefinitely postponed,—A bill to be entitled “An act for the relief of John Roberts,”—and “a bill to dissolve the marriage contract between Elizabeth Uptegrove, and Green Uptegrove.”

On motion of Mr. Blount, a bill to be entitled “An act to divorce Maria Ursula Caro, from her husband Juan E. Savalle”—was indefinitely postponed.

A bill entitled “An act, to authorize W. B. Hooker to establish a ferry across the Suwannee river, in Hamilton County”—was read the second and third time, (the rule being waived,) and passed—ordered that the title be as aforesaid.

A bill entitled “An act for the relief of Wm. S. Moor-ing,” was read the second time. The House went into committee thereon—Mr. Robinson from said committee, reported the bill without amendment, which was agreed to by the House—the rule being waived, the said bill was read a third time and passed—ordered that the title be as before stated.

A bill entitled “An act to provide for the establishment and maintenance of a free school in the city of St. Augustine,”—was read the second and third time, the rule being waived and passed—ordered that the title be as before stated.

A bill entitled “An act to provide for the correction of an error in the publication of the statutes of 1833,” was read the second and third time, (the rule being waived,) and passed—ordered that the title be as before stated.

A bill entitled “An act in addition to an act concerning wills, letters testamentary, and letters of administration, and the duties of Executors, Administrators, and Guardians,”—was again taken up in committee of the whole—Mr. Forbes therefrom, reported the bill as amended, which was agreed to by the House, and said bill is ordered to be engrossed for a third reading on to-morrow.

A bill entitled “An act to alter, and fix permanently the sessions of the Superior Court in, and for the district of East Florida”—was read the third time and passed—ordered that the title be as before stated.

A bill entitled “An act to authorize Wm. A. Bell to build a bridge across Bayou Grande, in Escambia County,”—was read the second and third time, (the rule being waived,) and passed—ordered that the title be as before stated.

The House then adjourned until to-morrow 10 o'clock.

THURSDAY, FEBRUARY 13, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. RIZ from the select committee on printing, made the following REPORT :

The select committee on printing instructed by a Reso-

lution of the 12th inst., to contract with the printer for printing 500 copies of the Election Laws of 1833 and '4, and also 500 copies of the certificates of the Inspectors of elections, have the honor to report, that in obedience to said resolution, they have made a contract with William Wilson on the following terms, to wit:

"I will furnish five hundred copies of the Election law of 1833 and '4, and 500 copies of the form of the certificate of Inspectors of elections for seventy five dollars—to be delivered to the Governor on Monday morning next, at 8 o'clock.
Feb. 13th, 1834.

WM. WILSON.

Accepted by order of the select committee on printing.
Respectfully submitted,

JAMES RIZ, Chairman.

Which was read and agreed to.

Mr. WARD from the committee on the State of the Territory, to whom was referred an enquiry, as to the propriety of submitting to the people of Florida, the question of state government, made the following report:

The committee on the state of the Territory in conformity with a resolution adopted on the 23d ultimo, having had under consideration the matters therein contained, have the honor to

REPORT:

That they consider the subject of the adoption of a State Government as of primary importance, as involving deeply the interests of the Territory, and as proper at this time, to be submitted to the serious consideration of the people of Florida. That while on the one hand, it would be unwise and imprudent, rashly and without resources, to precipitate an event of this character; we shall on the other, be not less culpably wanting to ourselves, if we remain insensible to the disadvantages of our present state of provincial vassalage.

The responsibility of the individuals indued with the power of enacting and administering the laws to those whose interests are affected by their operation, is a principle upon which is based the whole system of republican institutions. And however much the General Government may be actuated by a desire to promote the views and foster the interests of our country, it is impossible that those views and interests can be as well understood as by the people themselves; or if understood, that they will meet with due consideration, amid the pressure of the many important and conflicting interests which occupy the attention of Congress and the Federal Executive. We are placed at an immense distance from the centre of our Government system. We are liable to have sent among us by appointment of the Government, officers unacquainted with the policy and interests of the Territory, destitute of those claims upon the confidence of the the people, which are acquired by residence, intercourse, and community of sentiment; and above all, irresponsible to those who are to be vitally affected by their official acts. Nor is this irresponsibility confined to themselves

alone—it extends itself to those officers, of which the creation has been imparted to the people. It is easy for the Legislature to attribute to the Executive, judicial, or ministerial Government officer, the faults of improvident or corrupt Legislation; and it is as easy for the other to disguise or avoid the responsibility of malfeasance or neglect of duty, by the real or imputed derelictions of those holding office from the people.

Another baneful effect of the present system of appointments, is felt in the enervating influence upon the characters and energies of a country having no rewards to hold out to tried and faithful public services. So much is this the case, that it is believed the policy of the Government has been to appoint to office, strangers to the Territory and its citizens, in preference to residents of equal talents and abilities; and who, added to these, those claims which are derived from a long intercourse with the people of the Territory, and character and integrity appreciated by them. In the absence of the high and animating inducements which are held out to talent, virtue and patriotism, in the grateful confidence of a free people, the population of our country is retarded, its energies repressed, and enterprise and public spirit paralyzed.

Another consideration connected with the moral and intellectual advancement of the country, strongly urges the adoption of a government of our own, as soon as it may be in our power. Throughout our widely extended Territory, the want of some system which will bring education within reach of the yeoman and mechanic, is already sensibly felt. With all the natural advantages which we possess, with a soil as fertile, and a climate as propitious as ours, and with a population, which for enterprise and intelligence, is without a parallel in a frontier country, we shall still fall short of the destiny which would seem to await us, if we fail to provide the means of education for the generation who are to succeed us. To effect this object, the care of the General Government has made an adequate provision in the sixteenth sections of land reserved for the use of Schools, and two townships to be devoted to the endowment of a University. But these means are withheld by the prudent policy of the Government until we become a State. In no point of view, perhaps, does the urgent expediency of the step now under consideration, present itself more strongly.

But the enquiry must first be made, are we competent to the effort? What are our resources, when the support of the General Government shall have been withdrawn? Is our population such as to render a movement upon the subject feasible? or to give assurance of a capability on our part to sustain the increased expenditure?

By the 6th article of the Treaty of cession, it is guaranteed that the inhabitants of the Territory of Florida shall be incorporated in the Union, as soon as may be consistent with the principles of the Federal Constitution. It is believed, that there is nothing in that instrument prohibitory of the accomplishment of this guaranty. The 3d section of the 4th article of the Constitution, gives to Congress power to admit new States into the Union: And the 3d section of the first article, which establishes the ratio of representation, also provides that "Each State shall have at least one representative." Clearly

recognizing the principle, that a State may exist or consequently be created, although not having the number of inhabitants, which constitutes the basis of the ratio. But even supposing that a different construction should be put upon the last cited section, still it is believed, that we may as matter of right demand admission. The population of Florida by the last Census, amounted to thirty-four thousand five hundred, and presuming upon a probable ratio of increase since that period, the Territory must now contain near forty-five thousand inhabitants. When we take into consideration further, that the portion of the Territory hitherto occupied by the Seminole Indians is about to invite a numerous population, and that before another Census can be taken, or even the measures now considered of, carried into effect, the place of those savages will be doubly supplied from adjoining States. Your committee feel themselves justified in the conclusion, that no obstacle on the score of population will oppose the proposed change in the form of our government.

Assuming then the fact, of our right to ask of the Congress of the United States, a fulfilment of the stipulation in the treaty of cession above referred to, let us inquire into the condition in which we shall be placed in respect of our internal resources.

There are annually expended by the United States, in the support of the Territorial Government, perhaps forty thousand dollars. Of this sum, however, by far the greater part consists of the salaries of officers which would still subsist after the establishment of a State Government. The United States Courts would still be maintained. The Custom Houses, Land Offices, &c. would still be continued. We already pay the salaries of officers of the Territorial Treasury. The only additional expenses, therefore, for which we should have to provide, would be the salaries of the two Executive officers, of a State Judiciary, and the expenses of the Legislative Department. Of these, taking the present salaries and pay under each of the two first heads, as a sufficiently liberal criterion, and allowing for the latter double the amount now appropriated by Government, the gross amount, it may be safely affirmed, will not exceed annually twenty thousand dollars. To this sum, add ten thousand dollars for contingencies and occasional appropriations, and it will appear that thirty thousand dollars will afford the requisite annual revenue. It remains now to inquire whether we may safely incur such annual expenditure, with an assurance of deriving the moneys to meet it, from any moderate system of taxation.

The amount of revenue payable annually into the Territorial Treasury, according to the assessments under our present system, is perhaps equal to between ten and twelve thousand dollars. But it is confidently believed, that under a more strict and vigilant care, it would amount to at least one-third more without any increase in the rate of taxes. If the Revenue bill now pending in the House, should pass into a law, it is probable that fifteen thousand will be annually raised, the taxes remaining at their present standard. Upon a comparison of our Revenue Laws with those of the States, it will be found that the Territorial taxes are not more than one-third in proportion to those which are levied in the States, and that in

many instances, we fail to exact any tax from many species of property, which are there legitimate and lucrative sources of revenue. Our taxes upon land are almost nominal, and are so estimated, that the true taxable value of the land is not justly ascertained. The tax upon town property is notoriously so low, as to make it impossible to be collected, the amount due from a large portion of proprietors, not reaching to more than fractions of cents. Again, in many, if not all of the States, the list of taxable property is given in on the oath of the owner, and adequate pecuniary penalties imposed for fraudulent concealments of taxable property. The want of such provisions in our Revenue system, tends materially to diminish the Revenue.

From all this, it is believed, it may with safety be assumed, that without raising the rates of taxation above the standard common to most of the States, it is in our power to provide means for maintaining a State Government.

There is still another view of this subject, to which your committee will briefly allude. It is believed that the mere fact of being a Territory, has the effect to repress emigration.—The idea always prevails, that in a frontier territory, the laws are weak and inefficient, and the people semi-barbarous. Individuals possessed of wealth, are in many instances deterred from embarking their fortunes in a territory, having no settled form of Government, and whose future prosperity depends upon the problematical issue of becoming a State or not, and, in becoming a State, upon the character of the Constitution and Laws which she may adopt. This impediment removed, there can be no doubt that wealth, enterprise, intelligence and talent will flow into our country, increasing and placing beyond the possibility of doubt, its resources for a State revenue.

Entertaining these views, and believing it proper to elicit an expression of public opinion upon the subject, the committee have reported a Bill in conformity with the terms of the Resolution referred to them, and pray to be discharged from further consideration of the subject.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read and agreed to.

On motion of Mr. Ward, a bill entitled "An act to provide for submitting to the people of this Territory the question of State Government," which was laid on the table at a former day, was taken up, read the first time and made an order of the day for to-morrow.

Mr. WARD from the committee on the State of the Territory, to whom was referred the presentments of the Grand Jury for the Counties of Alachua, Columbia, and Hillsborough, made the following

REPORT:

The committee upon the State of the Territory to whom the presentments of the Grand Jury of the counties of Alachua, Columbia and Hillsborough were referred—having had the same under consideration, beg leave to report, that as to so much of said presentments, as recommends

a change of the County lines between Alachua and Columbia, it is sufficient for the committee to say, that however, necessary, the proposed arrangement may be, yet the presentments were received at so late a day, as by the rules of this house, to forbid Legislation upon them at the present session.

That in regard to the solicited establishment of an additional Term of the Superior Court in the County of Columbia, they are constrained to report, that the terms already directed to be holden in the District of East Florida, are equivalent to a constant claim upon the time and attention of the Judge of that District.

On the subjects of the dis-arrangement of the mails, presented as a grievance—and the importance of the public road from Newnansville to St. Augustine, the committee entirely concur with the Grand Jury—and recommend the resolutions herewith for adoption by the House.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read and agreed to.

The preamble and resolutions referred to in the foregoing report, were as follows:

Whereas, the late ill advised arrangement as to the transportation of the mails between St. Augustine and Tallahassee, which it is understood, was made by an agent of the General Post office, possessing little knowledge of the country, is presented by the Grand Jury of the counties of Alachua, Columbia and Hillsborough as a grievance to the inhabitants of those counties, and as detrimental to the interests of a growing and flourishing portion of our Territory,—as in fact, virtually excluding them from the benefits of the Post Office Establishment—depriving them of the facilities of communication, and closing against them the avenues of intelligence, by the wisdom of our Government generally open and free to the people of the United States.

A great privation to the inhabitants of these counties—without even the inducement of a pecuniary saving thereby to the Post Office Department.

And whereas, also, From the presentments of the same Grand Jury, the importance and great value of a public road from Newnansville to St. Augustine, by the way of Spring Grove, Micanope and Palatka are most manifest, as a sure means of advancing not only private property, and prosperity, but also the interests of the middle States, in quickening the sale, and enhancing the prices of the public lands, so fertile and extensive in that section of our Territory.

Therefore, be it resolved by the Legislative Council of

Florida, That our Delegate in Congress, be requested to urge upon the Department of the General Post Office, the necessity and justice of speedily correcting the dis-arrangement of the mails above complained of.—And that he also be requested to obtain from Congress, if practicable, a sufficient appropriation for the repair and opening of the above designated road from Newnansville to the city of St. Augustine.

Be it further Resolved, That the foregoing preamble & resolution, together with so much of the presentments of the Grand Jury of the aforesaid counties, as has relation to the subject matter hereof, duly certified by the President and Clerk of this Council, be transmitted to the Delegate in Congress.

Which were read, the rule being waived—were put on their passage and adopted.

Mr. BULLOCK from the committee on Banks, made the following Report, accompanied with a Resolution:

The Committee on Banks to whom was referred the Governors Message of the 8th January, laying before the Council the Annual Statements of the Central Bank of Florida, Merchants and Planter's Bank of Magnolia, and Bank of Pensacola, made in pursuance of the act of the last session, entitled "An act more effectually to secure the solvency of all the Banks in this Territory," &c., beg leave respectfully to

REPORT:

That they are satisfied the Central Bank of Florida is deserving of the confidence of the community, and whilst under the management of its present proprietors, may be safely relied upon, as a safe institution, and as affording a sound circulating medium.

It will be noticed that in the annual statement of this Bank hereto appended, marked No. 1, is included the statement of the "Bank of Florida," which was purchased in April last by it. The Bank states that "since the purchase, no business has been done under the charter of the Bank of Florida, but it has proceeded immediately to pay off the deposits, and redeem its circulation, intending as soon as possible, without inconvenience to the public to wind up its concerns."—The Central Bank however, now possesses the privileges given by both Charters, and although that of the Bank of Florida is at present dormant, it is in the power of its proprietors to resume operations at any time under it themselves, or to dispose of it to others. While in the hands of its present proprietors, no danger is to be apprehended from an improper or injudicious exercise of its privileges,—but the committee are not prepared to give the same guarantee in re-

gard to many, into whose hands it might fall. The Central Bank should unquestionably be allowed ample time to collect the debts of the Bank of Florida and wind up its concerns. But the committee regard it as a dangerous precedent, to permit the important right of establishing a Bank with a capital of more than half a million dollars thus to remain sleeping, and subject to be put into operation without any legislative guard or sanction. It is in effect, an exclusive monopoly to the Central Bank of the exercise of Banking privileges in middle Florida.—If the Legislature should deem proper to Charter another Bank in the city of Tallahassee, as a rival to the Central Bank, it is only necessary for the latter to throw this Charter into the market, to seriously embarrass, if not totally defeat the successful establishment of such rival institution.

Is it not to be apprehended also, that if the Central Bank should fall into other hands, that the tempting offers which speculators may make for the use of a Charter, (that they could not obtain from the Legislature) might possibly induce the transfer of the Bank of Florida to those from whose management the community would suffer injury.

In regard to the Merchants & Planter's Bank of Magnolia, the Legislature is already in possession of all the facts known to the committee—Legal proceedings having been instituted against it by its creditors, the committee think it both unnecessary and improper, for it, or the Council, to interfere between them. The committee have been solemnly assured by the President of the institution, who was absent at the time of its suspension of specie payments, that its entire circulation would be speedily redeemed,—and, from the character for integrity, which that gentleman has heretofore sustained, they trust that his pledges will be fulfilled. The committee deem it advisable to recommend to the holders of the notes not to part with them, till the result is finally ascertained. Evidence has been adduced to this committee, showing that Robert Collins of Georgia, who is believed to possess ample means to redeem all the paper of the Bank, is responsible in law for the loans made by the Bank to Patton and Pace, which compose its principal assets. Hereunto appended, are statements that have been handed to the committee by the President of the Bank, which they submit to the consideration of the Legislature.

With reference to the Bank of West Florida, the committee have but little to say, and that little is not much to the credit of the Bank or the Territory. It has made no return—paid no tax—its notes are worthless—it is not cer-

tainly known who are its present officers or proprietors—where it is now actually located, or what are its assets, or where they may be found. On its first incorporation, it sojourned awhile in the county of Jackson, but being given the power of itinerating by the Legislature, it is believed to be now wandering in search of a resting place, somewhere between the mouth of the Appalachicola river and Columbus, Georgia. The officers of the law, under the direction of the Legislature, might perhaps discover and apprehend the lost and fugitive Charter; and the committee recommend that such means be employed by the adoption of the accompanying Resolution.

Of the Commercial Bank of Florida, the committee have no definite or certain information; it is stated that the Bank has not yet been organised and gone into operation, and which statement, as no report has been received, the committee feel authorised to say is the fact.

The Bank chartered in 1831, to be located at St. Augustine, has never been organised and put into operation, or any measures adopted therefor. The Charter is unlimited and liable to be put into operation whenever circumstances may render it advisable to the citizens of that section of the country.

The Bank of Pensacola, it appears, went into operation in November last, under the superintendence of gentlemen, in whom full confidence is to be reposed—Although not required by law to make any report, the officers of that Bank have promptly rendered a statement, deserving credit for its simplicity and perspicuity. The committee do not hesitate to recommend this Bank to the entire confidence of the public, and as calculated to promote the interest of the citizens of the district in which it is located.

The statement is hereto appended, marked No. 2.

All of which is respectfully submitted,

JAMES D. BULLOCH, Chairman.

Resolved, That the Governor be, and he is hereby authorised to employ such Counsel, as he may deem necessary to institute proceedings by quo-warranto or otherwise against any Banking Corporation in this Territory, which has violated its Charter or forfeited the same by misuser, non-user, or otherwise, whenever he shall deem it expedient so to do.

Which was read and agreed to—the rule being waived the said resolution was read, put on its passage, and adopted.

Mr. CHANDLER on a former day, offered the Resolution following, to wit:—

Resolved by the Governor and Legislative Council of the Territory of Florida, That the Delegate in Congress

from this Territory, be requested to use his exertions to procure an appropriation of two thousand five hundred dollars by Congress for the completion, and continuance of the publication of the Laws of this Territory, according to the act of this session, entitled "An act for the continuance of the compilation of the laws of this Territory.

EDWARD CHANDLER, Chairman,
Committee on Finance.

Which was again read and adopted.

An engrossed bill entitled "An act to incorporate the Florida Peninsula, and Jacksonville Rail Road Company"—was read the third time—the yeas and nays being required on its passage, by Messrs. DuPont and Gautier, were yeas, Mr. President, Messrs. Bird, Blount, Chandler, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Smith and Ward, 13—Nays, Messrs. DuPont, and Forbes, 2,—so the said bill is passed,—ordered that the title be as aforesaid.

A bill entitled "An act amendatory to an act, concerning Executions"—was read the second time,—the House went into committee, on the said bill—Mr. Chandler therefrom reported the same, with amendments, which were agreed to by the House,—Mr. Forbes moved to amend said bill by striking out from the 4th section the words, "and the professional books of physicians & attorneys;" and thereupon, required the yeas and nays—Mr. Ward seconded the call—Yeas, Mr. President, Messrs. Forbes, Kirkland, Mooring, Robinson & Ward, 6—Nays, Messrs. Bird, Blount, Chandler, DuPont, Gautier, Green, McKinnon, Priest, Riz and Smith, 10. So the said motion is lost,—and said bill is ordered to be engrossed for a third reading on to-morrow.

A bill, entitled "An act for the relief of Benjamin G. Thornton," was taken up in committee of the whole—Mr. Smith therefrom reported said bill without amendment, which was agreed to, and said bill was read a third time—the yeas and nays being required on its passage by Messrs. Green and Chandler, were yeas Mr. President, Messrs. Bird, Blount, Chandler, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Smith, 12—Nays, Messrs. DuPont, Forbes, Green and Ward, 4. So the said bill is passed. Ordered that the title be as aforesaid.

A bill, entitled "An act for the relief of Jesse H. Willis," was read the third time—Mr. Green moved to amend the same by adding a proviso at the end of the last section, which prevailed, no one objecting—The yeas and nays being required on the passage of said bill by Messrs. Green and Blount—were yeas Mr. President,

Messrs. Bird, Blount, Chandler, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 13—Nays, Messrs. DuPont, Forbes and Green, 3. So the said bill is passed. Ordered that the title be as aforesaid.

Mr. PRESIDENT laid before the Council, the following communication from his Excellency, to wit:

EXECUTIVE OFFICE,
TALLAHASSEE, February 12th, 1834. }

Sir—An act for the relief of Douglas Dumett, on examination, cannot receive my sanction. A judgment rendered by the Superior Court for the Eastern District of Florida, cannot properly be changed or reversed by the Legislature. It would be assuming judicial powers on their part, and encroaching upon the authority of the Courts. The errors of the Jury and Court, if any, should be corrected according to law—not by the Legislature, but by the Judiciary. If the personal representatives of Duncan McRae, should have a judgment for two hundred dollars legislated against them, without having been before the tribunal which rendered such judgment, it would be (even had the Legislature judicial powers,) obviously unjust and illegal.

If the object of the act be to extend a pardon to the slave Stephen, therein named, this is a subject belonging exclusively to the Executive, and cannot rightfully come before the Legislative Council.

The intelligent Judge, before whom this trial was held, is perfectly competent to correct any error of the Jury.

No copy of the proceedings in this case, has been submitted to the Executive; and before he can properly act, the record should be examined.

Judging from the act alone, I am constrained by justice and duty to reject it.

I am respectfully, your ob't serv't,

WM. P. DUVAL.

Hon. JOHN WARREN,

President of the Legislative Council:

Which was read, and thereupon, on motion of Mr. Smith, the yeas and nays were taken on passing the bill, entitled "An act for the relief of Douglas Dumett," against the veto of the Governor—Yeas, Mr. President, Messrs. Bird, Blount, Chandler, DuPont, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Smith, 14—Nays, Messrs. Green and Ward, 2. So the said bill is passed by the lawful majority of two-thirds.

Mr. BLOUNT from the committee on Enrollments, reported as correctly Enrolled—leave being given him for that purpose:

"An act to authorise W. B. Hocker, to establish a Ferry across Suwannee river, in Hamilton county."

"An act in addition to the act incorporating the La Fayette Salt Company at Key West."

"An act to authorise Wm. A. Bell, to build a Bridge across Bayou Grande in Escambia county."

"An act to provide for the correction of an error in the publication of the Statutes of 1833."

"An act to alter and fix permanently the Sessions of the Superior Court in and for the District of East Florida."

"An act to provide for the establishment and maintenance of a Free School in the city of St. Augustine."

"An act for the relief of Wm. S. Mooring."

Which were severally signed by the President.

A bill, entitled "An act to incorporate the Marine Railway Company of the city of Key West," was taken up from the orders of the day—Mr. Chandler moved a substitute therefor with the same title, which was received and referred to a select committee, with leave to report to-morrow—Messrs. Chandler, Blount and Green were appointed thereon.

The President laid before the Council, the following communication, containing Executive nominations, to wit:

EXECUTIVE OFFICE.

TALLAHASSEE, February 13th, 1834. }

Hon. J. WARREN, President:

Sir—I nominate for ESCAMBIA COUNTY,

Justices of the Peace.—D. S. McCravy, Robert M. Forbes, John A. Simpson, Joseph Forsyth, James W. Ernest, Jackson Morton, Elijah Gaylor, Angus W. Nicholson, Benj. F. Kennedy, Henry Hyer, Charles C. Keyser, John Campbell, Samuel Patterson, John B. Foster.

Auctioneer.—Blyden Van Baun.

Port Wardens of Pensacola.—Hanson Kelly, John Campbell, John B. Foster, Henry Michelet, Henry Wilson.

WALTON COUNTY.

Judge of the County Court.—David Gartman.

Justices of the Peace.—John L. McKinnon, Alex'r. Turner.

JACKSON COUNTY.

Judge of the County Court.—Peter W. Gautier, Jr.

Justices of the Peace.—Thomas M. Bush, Hector McNeil, James Brown, Richard L. Watson, Henry J. Holmes, Lewis Holland, Alexander Bellamy, John Britt, Owen Williams, Benj. Hogg, Britain Mayo, James N. Smith, Peter Simmons, Silas Wood, Henry D. Stone, John Hopson.

Auctioneers.—Henry W. Nowland, Hugh Stone.

Inspector of Lumber.—Jeremiah Loftin.

Notary Public.—Charles Stone.

GADSDEN COUNTY.

Judge of the County Court.—Charles H. DuPont.

Justices of the Peace.—Josiah W. King, David G. Raney, Daniel Kenan, David Ochiltree, William B. McCall, John Buie, Daniel M. Hinson.

Trustees of School Lands.—Archibald Smith, Jr. William Norwood, Robert Stewart.

Notary Public.—Isaac K. Harris.

Appraisers of the Union Bank.—Simpson Willson, Daniel Kenan, Jas. A. Wooten.

JEFFERSON COUNTY.

Judge of the County Court.—Achille Murat.

Justices of the Peace.—Joseph McCants, William Budd, Benjamin Manning, Hillary Whitehurst, James M. K. Holliman, Cornelius Beesley, Bartney Wynn.

HAMILTON COUNTY.

Judge of the County Court.—James S. Bell.

MADISON COUNTY.

Judge of the County Court.—James B. Mays.

COLUMBIA COUNTY.

Justices of the Peace.—Robert B. Clayton, Charles W. Collins, Wilson Brooks, John Lee, David Lang, Thomas Ellis, jr. James T. Prevatt, Warren Moore, Theophilus Weeks, jr. John D. Osteen, James Niblack.

Judge of the County Court.—Robert Brown.

ALACHUA COUNTY.

Judge of the County Court.—Francis R. Sanchez.

Justices of the Peace.—Charles W. Waldron, Isaac Garrison, Henry Hearn, Jonathan Thigpen, Wiley Thompson.

DUVAL COUNTY.

Judge of the County Court.—John L. Doggett.

Justices of the Peace.—Charles E. Flinn, Squire Streeter, John Broward, Stephen Eddy, Moses Curry, John A. Cavado, George Fleming, Benendino Sanchez, Robert Bigelow.

Notary Public.—Horatio S. Dexter, Isaiah D. Hart.

Auctioneers.—Robert Bigelow, H. D. Baldwin, Horatio S. Dexter, James B. Mason, Benendino Sanchez.

Inspectors of Lumber.—Matthew H. Phillips, Joseph B. Lancaster, Squire Streeter.

NASSAU COUNTY.

Justices of the Peace.—Joseph R. Prevatt, James Bessant, James Sparkman, John D. Braddock, William Turner, John Kirkland.

Notary Public.—Domingo Acosta, William Haddock.

Auctioneers.—Domingo Acosta, William Haddock.

ST. JOHN'S COUNTY.

Judge of the County Court.—Elias B. Gould.

Justice of the Peace.—Joseph Delespine, Daniel Hurlburt, James Riz, Thomas Douglas, John Drysdale, Daniel S. Griswold, Edwin T. Jenks.

Appraiser of the Union Bank of Florida.—P. B. Dumas vice J. K. Cashen, dec'd.

Respectfully, your obedient servant,

WM. P. DUVAL.

The door being closed, the said communication was read, and the House consented to and advised the nominations therein contained, when the door was again opened.

A bill, to be entitled "An act to establish a Tariff of Fees," was taken up in committee of the whole—Mr. Chandler therefrom, report the same with amendments, which was agreed to by the House, and said bill is ordered to be engrossed for a third reading to-morrow.

A bill, entitled "An act for the relief of James J. Board and Darius Clapp," was read a second and third time—the rule being waived, and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act in addition to the several acts now in force, regulating Judicial proceedings," was taken up in committee of the whole—Mr. Robinson therefrom, reported the bill amended, which was agreed to by the House, and said bill was read a third time—Yeas and nays being required on its passage by Messrs. Chandler and Ward, were yeas Mr. President, Messrs. Bird, Blount, DuPont, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson and Smith, 13—Nays, Messrs. Chandler, Green and Ward, 3. So the said bill is passed. Ordered that the title be as before stated.

The House then adjourned until to-morrow 10 o'clock.

FRIDAY, FEBRUARY 14th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. Riz offered a Resolution on the subject of Land Claims, which was read, and laid on the table until to-morrow.

Mr. Bird offered the following Resolution, to wit:

Whereas, it is made apparent to this Legislative Council, that the rivers Ocilla and Wacissa, in the Territory of Florida, are susceptible of being made navigable streams, —and whereas, the advantages derived from the improvement, and clearing out said rivers, would be sensibly felt, by a large and respectable portion of our citizens, whose location in the interior, under existing circumstances, deprives them of the benefits of a nearer communication.

Be it therefore Resolved by the Governor and Legislative Council of the Territory of Florida, That our Delegate to Congress be requested to urge the procurement of an appropriation from the General Government for the opening of the navigation of the said rivers Ocilla and Wacissa, in conformity to a report made to the Engineer Department, in the year 1832, by Lieutenant Long, United States Engineer, stationed in Florida.

Which was read, (the rule being waived,) was put on its passage, and adopted.

Mr. Riz from the committee on Claims made the following Report:

The committee on Claims to whom was referred the petition of Ede Van Evour with accompanying documents, have the honor to

REPORT:

That the late period of the session of the Council, at which this claim was presented to them, to wit: on the 12th inst,—has not prevented them from giving to it a full and proper investigation.

From an attentive examination of the Law, under authority of which he was appointed, we find that the compensation for his services was expressly submitted to the decision of the Executive: And from Mr. Van Evour's account, accompanying the petition, it appears to your committee, that he not only retained all the monies received under his commission, but claims a balance of \$297 47 cents.

As the law above referred to expressly provides, that his compensation is to be paid out of the proceeds of the rents, arising from the buildings at St. Marks, your committee are of opinion, that the claim does not require the action of the Council, and herewith return the documents, and pray to be discharged from the further consideration of the subject.

Respectfully submitted,

JAMES RIZ, Chairman.

Which was read and agreed to.

Mr. WARD from the committee on the State of the Territory, made the following

REPORT:

The committee to whom was referred the communication of his Excellency the Governor, of the 10th inst., touching the expediency of authorizing the employment of a clerk for the discharge of certain necessary duties in the Executive Office, and for the better security of the Documents and papers of that Office, and of the Treasury Department, beg leave to Report the following Resolution.

Resolved by the Governor and Legislative Council of Florida, That the Governor be, and he is hereby authorized to employ a Clerk for the Executive Office, whose salary, not exceeding four hundred dollars, shall be paid out of any money in the Treasury, not otherwise appropriated.

Which was read and agreed to; the resolution thereto appended, was read and laid on the table until to-morrow.

Mr. BLOUNT from the select committee, to whom was referred a communication from his Excellency the Governor, made the following Report :

The Select Committee to whom was referred the Message of the Governor of the 25th of January, in relation to the Election of Chief Magistrate of this Territory by the people thereof, beg leave to

REPORT :

That while they disclaim any intention of exception to the present incumbents of the offices of Governor and Secretary, as to the manner in which they have discharged their duties, or otherwise, they agree with the Executive in opinion, that the election of those officers is properly a *rights* belonging to the people. Howmuch soever, well satisfy the people of Florida have reason to be, with the officers selected by the National Government, the exercise of this right, is too valuable to be yielded without necessity. It is the foundation of every Republican Government. Deprived as we are, of all participation or influence in the choice of the Chief Officers of our Territory, denied also, a voice in the Election of our National rulers, we are rather the subjects of Colonial vassalage, than the citizens of a free republic.—Our present system of Government is totally inconsistent with the genius of free institutions. Why should we be denied a more equal participation of the blessings of free Government with our fellow citizens of the States? Are we alone incapable of self Government? That no people are! is the every day argument of despots, against liberal institutions, and may as well be urged against the National and State Governments of this Union, as against the people of Florida. We may be yet poor, and unable to support a State Government, and hence our application for admission into the Union should be deferred. But, does our want of wealth render us incapable of exercising our judgments in the selection of our officers? The pages of History show, that it is when a people have become enervated by wealth and ease, and luxury, that they relax their vigilance, become careless, and exhibit apathy in the choice of their magistrates. A community in the vigor and strength of youth, although poor, is not prone to become inert or negligent on such subjects.

The aborigines of the country it is anticipated are soon to be removed west of the Mississippi, and no interests of the United States can exist, the protection of which will devolve upon the Executive of Florida. The public domain is under the control of other officers, and the other national concerns in Florida have each their distinct and independent guardian.

The committee, although it was not specially referred to them, have deemed it advisable to suggest as connected with this subject the propriety of an application to Congress for a Senate as is allowed in the Territories of Arkansas and Michigan. On former occasions, the arguments in favor of allowing such application have been fully made known to Congress, through the Delegate from this Territory. The committee can but reiterate those arguments, with the superadded sanction that experience has given to their truth, and request the Delegate to urge their importance.

The committee beg leave to recommend the adoption of the accompanying resolutions, and pray to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

THO. M. BLOUNT,
JOSEPH L. SMITH.
PETER W. GAUTIER, Jr.
JONA. ROBINSON.

Resolved, That the Delegate to Congress be requested to use his exertions to obtain a reorganization of our Territorial Government, so as to authorize the people to elect the Governor and Secretary thereof, and to have a Senate added to the Legislative Department.

Resolved, That copies of the Governor's Message of the 25th January, and the foregoing Resolution be duly certified, and forwarded to our Delegate to Congress.

Which was read and agreed to—the resolution thereto appended was read and laid on the table until to-morrow.

Mr. ROBINSON offered the following Resolution, to wit:

Resolved by the Legislative Council of the Territory of Florida, That the Governor of this Territory be requested to designate three, or more gentlemen in each of the Districts of this Territory, to constitute a board of Internal Improvements, for this Territory, and to solicit of those gentlemen, the collection of authentic data, in regard to the improvements proper and practicable in the various sections of the Territory, and to condense and embody the same together, and make a report thereof, to the next Legislative Council of this Territory, and that on the receipt of such report, the Governor be authorised to have 200 copies thereof printed for the use of the next Council.

Which was read, the rule being waived, was put on its passage and adopted.

Mr. CHANDLER presented a Resolution on the subject of adjournment, which was read and laid on the table until to-morrow.

An engrossed bill, entitled "An act in addition to 'an act concerning Wills, Letters Testamentary and Letters of Administration, and the duties of Executors, Administrators and Guardians,'" was read the third time and passed.

Ordered that the title be as aforesaid.

An engrossed bill, entitled "An act to incorporate the Florida, Alabama, and Georgia Rail Road Company," was read a third time and passed. Ordered that the title be as before stated.

Mr. WARD heretofore, offered the following Preamble and Resolution, to wit:

Whereas, It is desirable for the accommodation and convenience of the people of Florida, that facilities of communication should exist between the seat of the Territorial Government, the town of Jacksonville, and the City of St. Augustine in the Eastern District of Florida,—and whereas it will be but just to afford the same facilities of mail transportation to the Eastern portion of the Territory, as are already enjoyed by the West, in a semi-weekly mail from Pensacola to Tallahassee. And Whereas, it is believed that such an arrangement would promote the views of Government, and the public interest and convenience, by opening a direct communication between Savannah and Mobile, or New Orleans, with less than 240 miles of land carriage, over a country offering decided advantages for mail transportation. Therefore,

Be it resolved by the Governor and Legislative Council of Florida, That the Delegate in Congress from this Territory be requested to urge upon the attention of the proper department the establishment of a semi-weekly mail, or if that be impracticable, a weekly mail, to be transported in four horse coaches, from Tallahassee to Jacksonville, on the St. John's river, and thence to the city of St. Augustine.

Which was again read and adopted.

A bill, entitled "An act to amend an act concerning Executions," was taken up—Mr. Gautier from the majority, moved to reconsider the vote on the amendment, proposed in the 4th section, by striking out the words "professional books of physicians and attorneys"—which prevailed. A motion being made by Mr. Ward to strike out said words—the yeas and nays were required thereon by Messrs. Chandler and Smith—Yeas, Mr. President, Messrs. Bird, Dupont, Forbes, Green, Kirkland, Mooring, Priest, Riz, Robinson and Ward, 11—Nays, Messrs. Blount, Chandler, Gautier and Smith, 4. So the motion prevailed, & the amendment is made. The said bill was read a third time—The yeas and nays being required on its passage by Messrs. Chandler and Blount, were yeas Mr. President, Messrs. Bird, Blount, Dupont, Forbes, Gautier, Green, Kirkland, Mooring, Priest, Riz, Robinson, Smith and Ward, 14—Nay, Mr. Chandler. So the said bill is passed. Ordered that the title be as aforesaid.

A bill, entitled "An act to provide for the completion of the Capitol," was read the third time and passed.—Ordered that the title be as aforesaid.

A bill, entitled "An act to incorporate the Marine

Railway Company of the city of Key West," was read the second and third time—the rule being waived, and passed. Ordered that the title be as before stated.

A bill, to be entitled "An act to amend an act to incorporate the city of Pensacola," passed Feb. 9, 1833, and approved Feb. 15, 1833, was on motion of Mr. Blount, indefinitely postponed.

A bill, to be entitled "An act to amend the several Acts in relation to the driving or bringing into this Territory, neat Cattle belonging to persons or citizens of the several States," was read the second time—the House went into committee thereon—Mr. Dupont therefrom reported the same amended, which was agreed to—the rule being waived, said bill was read a third time and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act to amend an act, regulating the mode of proceeding on Attachments," was taken up in committee of the whole—Mr. Riz therefrom, reported the same amended, which was agreed to—Mr. Gautier offered as an amendment, the following section:

"Be it further enacted, That non-residents of this Territory shall not be entitled to the benefits of this act, or the act of which it is amendatory, unless the debt on which the Attachment is sought to be issued, was contracted in this Territory."

And upon the adoption of the same, the yeas and nays were required by Messrs. Gautier and DuPont—Yeas, Messrs. Blount and Gautier, 2—Nays, Mr. President, Messrs. Bird, DuPont, Forbes, Green, Kirkland, Priest, Riz, Robinson, Smith and Ward, 11. So the said amendment is lost, and the said bill was read a third time and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act to amend the several acts to raise the Revenue for the Territory of Florida," was on motion of Mr. Gautier, laid on the table until the fourth of July next.

A bill, entitled "An act to provide for the Election of Governor by the people of this Territory," was on motion of Mr. Blount indefinitely postponed.

A bill, entitled "An act amendatory to the act incorporating the Trustees of the Pensacola Academy, approved Feb. 12, 1831," was read the third time and passed.—Ordered that the title be as aforesaid.

A bill, to be entitled "An act to provide for the appointment of Pilots and to regulate the rates of Pilotage at the Port of Key West, and for other purposes," was read a second time and ordered for a third reading on tomorrow.

A bill, entitled "An act to establish a Tariff of Fees,"

was read a third time and passed. Ordered that the title be as aforesaid.

A bill, entitled "An act to facilitate the draining of lands," was read a third time—the yeas and nays being required on its passage by Messrs. Chandler and Smith, were yeas Mr. President, Messrs. Bird, Blount, DuPont, Gautier, Green, Kirkland, Priest, Riz, Robinson and Smith, 11—Nays, Messrs. Chandler and Ward, 2. So the said bill is passed. Ordered that the title be as aforesaid.

Mr. WARD on a former day, offered the following Resolution:

The Committee on the State of the Territory, to whom was referred a communication of his Excellency the Governor of the 5th inst. having had under consideration the subject matters thereof, beg leave to Report the following

RESOLUTION:

Be it resolved by the Governor and Legislative Council of Florida, That the Governor be, and he is hereby authorised to purchase maps of the Territory of Florida, to be by him sent to the Governors of each of those States and Territories of the U. S., who have transmitted, or may hereafter transmit maps of their respective States to the Governor of Florida,—And that the Treasurer of the Territory be authorised to pay the drafts of the Governor therefor.

Which was read—the yeas and nays being required on its passage by Messrs. Chandler and Blount, were yeas Mr. President, Messrs. Bird, Blount, DuPont, Gautier, Green, Kirkland, Priest, Robinson, Smith and Ward, 11. Nays, Mr. Chandler, 1. So the said Resolution is adopted.

A bill, entitled "An act concerning the Auditor of Florida," was read the second time, when the House went into committee thereon—Mr. Chandler therefrom reported the bill amended, which was agreed to—the rule being waived, said bill was read a third time and passed. Ordered that the title be "An act concerning the Auditor and Treasurer of the Territory of Florida."

The House then adjourned until to-morrow, 10 o'clock.

SATURDAY, FEBRUARY 15th, 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. CHANDLER offered on yesterday the following Resolution, to wit:

Resolved. That the resolution heretofore adopted by this house to adjourn on Saturday next, be, and the same is hereby rescinded, which was again read and adopted.

Mr. BLOUNT from the committee on enrolled bills, reported as correctly enrolled,

"An act for the relief of Benjamin G. Thornton."

"An act constituting a board of Wardens for the Port of Key West."

"An act to amend an act, incorporating the town of Mari-
ana."

"An act to establish a board of Wardens for the Port of Pensacola."

"An act in addition to the act of 1833, incorporating the City of St. Augustine."

"An act to incorporate the Florida Peninsula and Jacksonville Rail Road Company."

"An act to incorporate the Florida, Alabama, and Georgia Rail Road Company."

"An act for the relief of Jesse H. Willis."

"An act to incorporate the Marine Railway Company of the City of Key West."

"An act in addition to an act concerning Wills, Letters Testamentary, and Letters of Administration, and the duties of Executors, Administrators, and Guardians."

"An act for the relief of James J. Board and Darius Clapp."

"An act to alter and fix permanently the Sessions of the Superior Court in and for the district of East Florida."

"An act to establish a Tariff of Fees."

"An act amendatory to an act, concerning Executions."

"An act concerning the Auditor and Treasurer of the Territory of Florida."

"An act to amend an act, regulating the mode of proceeding on Attachments."

"An act to facilitate the draining of Lands."

"An act amendatory to the act, incorporating the Trustees of the Pensacola Academy, approved February 12, 1831."

"An act to provide for the completion of the Capitol."

"An act to incorporate the College of Pensacola."

A bill, entitled "An act supplemental to the Charter of the Merchants & Planter's Bank of Magnolia," was taken up in committee of the whole—Mr. Gautier therefrom reported the same amended, which was agreed to, and said bill was read the third time—the yeas and nays being required thereon by Messrs. Chandler and Gautier, were yeas Mr. President, Messrs. Bird, Blount, Chandler, DuPont, Forbes, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 16: Nays 0, and said bill is passed. Ordered that the title be as before stated.

A bill, to be entitled "An act to repeal an act, entitled 'An act to amend an act to provide for laying out the Schools Lands in this Territory,' was taken up in committee of the whole—Mr. — reported a substitute therefor, entitled "An act to provide for renting out the School Lands in this Territory," which was agreed to, and said bill was read the third time—the yeas and nays being required on its passage by Messrs. Chandler & Gautier, were yeas Mr. President, Messrs. Bird, Blount, Chandler, Forbes, Kirkland, McKinnon, Priest, Riz and Smith, 10: Nays, Messrs. DuPont, Gautier, Green, Mooring, Robinson and Ward, 6. So the said bill is passed. Ordered that the title be as before stated.

A bill, entitled "An act to change the time of holding the Superior Courts in the Counties of Walton, Washington, Jackson and Franklin, and for other purposes," was read the second and third time, (the rule being waived) and passed.—Ordered that the title be as before stated.

A bill, entitled "An act to provide for the appointment of Pilots and to regulate the rates of Pilotage at the Port of Key West, and for other purposes,"—was read the third time and passed. Ordered that the title be as before stated.

A bill, entitled "An act amendatory of the act to prevent the future migration of Free Negroes and Mulattoes into this Territory," was taken up in committee of the whole—Mr. Ward therefrom reported the said bill without amendment, which was agreed to, when on motion of Mr. Smith, said bill was indefinitely postponed.

"An act to adjust and settle the accounts of Davis Floyd, dec'd. late Treasurer, and also the claims of this Territory against his securities, and for the disposition of certain lands," was reported by Mr. Blount from the committee of the whole, as a substitute for a bill, to be entitled "An act to provide for the sale of certain lands belonging to the Territory;" which report was agreed to by the House, and said substituted bill was read the third time and passed. Ordered that the title be as before stated.

A bill, entitled "An act to provide for submitting to the people of this Territory, the question of State Government," was read the second and third time, (the rule being waived) when the yeas and nays were called on its passage by Messrs. Ward and Chandler—Yeas, Mr. President, Messrs. Gautier, Green, Mooring and Ward, 5: Nays, Messrs. Bird, Blount, Chandler, DuPont, Forbes, Kirkland, McKinnon, Priest, Riz and Smith, 10. So the said bill is lost.

Mr. President laid before the House a communication from his Excellency the Governor, as follows:

EXECUTIVE OFFICE,

TALLAHASSEE, February 15th, 1834.

SIR:—I return to the Council the bills for the relief of B. G. Thornton and J. H. Willis. I have no objection to the acts, except the clause which imposes the duty of appointing the arbitrators for the Territory, and of considering and approving, or rejecting the award (independently of the Council,) upon the Executive. I cannot consent to assume those duties not properly devolving upon the Executive, and especially in relation to this subject in regard to which I am determined to adhere to the strict line of my duty, and to exercise no power which it is not my imperative duty to assume. I therefore trust the bills will be amended.

Respectfully your obedient servant,

WM. P. DUVAL.

Hon. John Warren, President of the Council.

Which was read; and thereupon, the said bills were reconsidered, and by unanimous consent of the House, each amended by inserting in each in lieu of the word "Governor," the word Auditor, three several times, the yeas and nays being required on the passage of the bill, entitled "An act for the relief of Benjamin G. Thornton," by Messrs. Smith and Chandler, were yeas Mr. President, Messrs. Bird, Blount, Chandler, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson

and Smith, 12: Nays, Messrs. DuPont, Forbes, Green and Ward, 4. So the said bill is passed. Ordered that the title be as before stated.

A bill, entitled "An act for the relief of Jesse H. Willis," was read the third time—yeas and nays being required on its passage by Messrs. Green and Riz, were yeas Mr. President, Messrs. Bird, Blount, Chandler, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 13: Nays, Messrs. DuPont, Forbes and Green, 3. So the said bill is passed. Ordered that the title be as before stated.

Mr President laid before the Council, the following communication:

EXECUTIVE OFFICE,

TALLAHASSEE, February 15th, 1834.

SIR:—I return to the Council the act entitled "An act constituting a board of Wardens for the Port of Key West."—Laws like this, of a *local* character merely, I am generally disposed to approve, but the particular provisions of this act are such as to require amendment, before I can sanction it. I am inclined to the opinion that the *local* authorities are most competent to make judicious appointments of the officers created by this act, although the provisions imposing the duty upon the Governor would not induce the rejection of the bills. The third section gives too plenary and unrestrained powers to this Board and its President. First;—the board are authorized to enact without restriction, all kinds of bye laws and regulations, and, Secondly;—the President can summon the *posse commetatus*, if he choses to put them in operation *per force*. This is by far too extensive a grant of authority to be extended to the President of a board of Port Wardens. The section giving the right of appeal, is not sufficiently explicit, and the making the decision of the Superior Court final, is inconsistent with those provisions of the Organic Laws on the subject of appeals from the decisions of that Court. The section with regard to the fees is too loose and general, and may leave room for abuses. The act is therefore returned for amendment.

The accounts of Darius Clapp and J. J. Board having been explained to me by transmission of the vouchers, on which the law was predicated, I feel at liberty to approve the bill on its return to me.

Respectfully your obedient servant,

WM. P. DUVAL.

Hon. John Warren, President of the Legislative Council.

Which was read; and thereupon, the bill entitled "An act constituting a Board of Wardens for the Port of Key West," was reconsidered, amended by unanimous consent, read the third time and passed; and ordered to be enrolled.

Also, the following:

EXECUTIVE OFFICE,

TALLAHASSEE, February 15th, 1834.

SIR:—I return the act entitled an act for the relief of James J. Board and Darius Clapp. The act does not state what the claim is, how much it amounts to, and until I can know some

thing more respecting it than is stated in the bill, I am constrained to reject it.

Respectfully your obedient servant,

WM. P. DUVAL.

HON. JOHN WARREN,

President of the Legislative Council.

Which was read, and the accounts of James J. Board and Darius Clapp, therein referred to, are ordered to be transmitted by the Clerk of this House to the Executive.

Also the following :

EXECUTIVE OFFICE, }

FEBRUARY 15th 1834. }

Hon. President of the Legislative Council :

SIR :—The views and opinions which are held by the Executive on the subjects of Banks, have been so often expressed to the Legislative Council, that it is deemed unnecessary again to repeat them.

The act supplemental to the Charter of the Merchants and Planter's Bank of Magnolia, can receive no aid from the Executive, to revive or continue the institution. When a Bank breaks, *on purpose*, little hope is left, to expect it will redeem its paper. I should be unwilling to make a purchase, of that honor and justice, which is due, to the people of Florida, by the former and solemn engagements of this corporation. If the President and Directors had given any security to the public that their paper would be redeemed, it might influence my judgment—but as the Executive, I am never disposed to compromise, what I believe to be the honorable and elevated character of this Territory, for what is believed to be mere fallacious promises. I would rejoice to find my opinion wrong on this subject, but until this institution shall redeem itself, by a fair and honest discharge of its obligations to the people of this Territory, I shall be the last person, that will consent to aid in its resuscitation—I therefore must reject the act.

Respectfully your obedient servant,

WM. P. DUVAL.

Which was read ; and thereupon, the yeas and nays were taken upon the passage of said act, in opposition to the *veto* of the Governor—Yeas Messrs. Bird, Blount, Chandler, DuPont, Forbes, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Robinson Smith and Ward, 14 : Nays, Mr. President and Riz, 2. So the said bill is passed by the lawful majority of two-thirds.

Mr. President laid before the Council, following communications :

EXECUTIVE OFFICE, }

TALLAHASSEE, February 15th, 1834. }

Sir—I have approved, signed, and filed in the Secretary's Office, the following Acts :

"An act to amend an Act incorporating the town of Marianna."

"An act to incorporate the Florida, Alabama and Georgia Rail Road Company."

"An act to incorporate the Florida, Peninsula and Jacksonville Rail Road Company."

"An act to incorporate the Marine Railway Company of the city of Key West.

"An act to amend the several acts in relation to driving or bringing into this Territory, neat Cattle belonging to persons or citizens of the several States."

An act in addition to the act of 1833, incorporating the city of St. Augustine.

"An act in addition to an act concerning Wills, Letters Testamentary and Letters of Administration, and the duties of Executors, Administrators and Guardians."

"An act to establish a Board of Wardens for the Port of Pensacola."

"An act to establish a Tariff of Fees."

"An act to amend an act concerning Executions."

"An act concerning the Auditor and Treasurer of the Territory of Florida."

"An act amendatory to the act incorporating the Trustees of the Pensacola Academy, approved February 12th, 1831."

Also, the "Act for the relief of James J. Board and Darius Clapp;" which was rejected by me for want of the original vouchers, but which have since been submitted to me by the Council, and thereupon approved.

"An act in addition to the several acts now in force, regulating Judicial proceedings.

"An act to amend an act regulating the mode of proceeding on Attachments."

Respectfully, your ob't. ser'vt.

WM. P. DUVAL.

HON. JOHN WARREN,

President of the Legislative Council.

EXECUTIVE OFFICE, }

FEBRUARY 15th 1834. }

SIR :—I have approved, signed and filed in the Secretary's office the following laws, viz :

An act to alter and fix permanently the sessions of the Superior Court, in and for the District of East Florida.

An act to provide for the establishment and maintenance of a free school in the City of St. Augustine.

An act for the relief of Charles Trippe.

An act in addition to the act incorporating the La Fayette Salt Company at Key West.

An act to authorise William A. Bell to build a bridge across the Bayou Grande, in Escambia County.

An act to authorise William B. Hooker to establish a ferry across the Suwannee River in Hamilton County.

Respectfully your obedient servant,

WM. P. DUVAL.

HON. JOHN WARREN,

President of the Legislative Council.

Which was read.

Mr. GAUTIER offered the following Resolution :

WHEREAS, An act was passed at the last Legislative Council for the relief of Joseph F. Wachob, directing the accounting officers of this Territory to audit and adjust the claims

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of the said Joseph F. Wachob: And whereas, the vouchers for said accounts (as appears to this Legislative Council) were left in the possession of John Y. Garey, Auditor of this Territory, and have been lost: And whereas, the Treasurer of this Territory refuses to allow said charges against the Territory, unless the items of said accounts were specified, which is impossible for the reasons above stated: And whereas, from the evidence adduced, this Council are of the opinion that the claims of the said Joseph Wachob should be allowed.

Therefore, be it Resolved, That the Treasurer of this Territory be directed to pay to the said Joseph F. Wachob, the sum of one hundred and twenty-five dollars, out of any monies not otherwise appropriated.

Which was read and lost.

Mr. WARD offered on yesterday the following Resolution:

Resolved by the Governor and Legislative Council of Florida, That the Governor be, and he is hereby authorized to employ a Clerk for the Executive Office, whose salary not exceeding four hundred dollars, shall be paid out of any money in the Treasury not otherwise appropriated.

Which was again read—the yeas and nays being required on its passage by Messrs. Blount and Smith, were yeas Mr. President, Messrs. Gautier, Green, Kirkland, Mooring, Priest, Robinson and Ward, 8: Nays, Messrs. Blount, Chandler, Forbes, McKinnon and Smith, 5. So the said Resolution is adopted.

Mr. Green asked and obtained leave to record his vote against the passage of a bill, entitled “An act in addition to the several acts now in force regulating Judicial proceedings.”

A bill, entitled “An act for the continuation of the compilation of the laws of this Territory,” was read the third time and passed. Ordered that the title be as aforesaid.

A bill, entitled “An act to provide for the more effectual collection of the Revenue,” was taken up in committee of the whole—Mr. Ward therefrom reported the same amended, which was agreed to, and said bill was read the third time and passed. Ordered that the title be as aforesaid.

Mr. WARD on a former day, presented the following Memorial and Resolutions:

To the Senate and House of Representatives of the United States.

The Legislative Council of the Territory of Florida, beg leave again, respectfully to ask the attention of the Federal Government to the important project of effecting a communication between the Atlantic Ocean, and the Gulf of Mexico, across the Florida Peninsula. The excavation of the ship channel, so long and so anxiously contemplated, it is believed, will not probably be undertaken by the United States. If it is to be abandoned, your memorialists respectfully present to the attention, and favorable consideration of Congress, a project for creating such a communication which they deem feasible, to wit: by the construction of a Rail Road across the upper neck of the Peninsula, from the town of Jacksonville and the St. John's river, to the Gulf of Mexico, at the disembouement of the River St. Marks.

The District of country through which this Rail Road would pass, affords advantages certainly not surpassed, perhaps not equalled in any portion of the United States, of the same extent. Throughout the whole distance, the country is level, of firm, solid foundation, and the few rivers which the road would cross, are never subject to high or rapid freshets. In every portion of the route is found in the greatest abundance the finest timber in the world for such a construction, and a mild and delightful climate, where frosts and ice never occur to impede its operation.

The Legislative Council impressed with the belief that it is a measure perfectly practicable in its accomplishment, and highly important in its consequences, not only with reference to the interests and prosperity of the Territory of Florida, but viewed in a national light as forming the most important link in the chain of inland communication between the extreme North and South, have at their present session incorporated “the Florida Peninsula and Jacksonville Rail Road Company”—to construct a Rail Road from Jacksonville to Tallahassee, (a distance of about one hundred and forty five miles in straight line,) to be there connected with the Tallahassee and St. Marks Rail Road, also chartered at the present session. Without the aid of the Government, this great undertaking will be retarded for many years, or perhaps totally fail of accomplishment.

They therefore pray the attention of your honorable body to the following Resolutions:

Be it resolved by the Governor and Legislative Council of Florida, That the Delegate in Congress be requested to obtain from the Congress of the United States, the appointment of an experienced Engineer, to survey the route of the contemplated Rail Road from Jacksonville to Tallahassee—and also, to obtain the relinquishment on the part of the United States in favour of said company of one mile, on each side of the said route, of the public lands, through which it may pass.

And be it further resolved, That the Delegate be further requested to obtain from Congress such appropriations of money, donations of land, or subscriptions to the stock of said Rail Road Company, as their wisdom and the importance of the object may suggest or justify.

BE IT FURTHER RESOLVED, That the foregoing Resolutions when signed by the Governor, and President of this Legislative Council, shall be certified by the Chief Clerk, and forwarded to the Delegate in Congress.

Which were again read and adopted.

Mr. Riz introduced the following Resolution on a former day:

Whereas, The Congress of the United States, at an early period after the transfer of Florida, manifested a laudable anxiety to carry into effect the eighth article of the treaty of cession, and with that view, created in the Territory tribunals for the revision and confirmation of grants of land made by the Spanish authorities, and provided laws for their guidance and government, the results of which do not correspond, either with the presumed intentions of Congress, or the plain and solemn obligations of the treaty; many of the titles, as the Legislative Council have been informed, and believe, remaining still undecided, while the prior complain that opportunity has been denied them by the legislation of the country, of making a fair exhibition of their claims, which are now generally considered as valid in law, but

which still afford room for reasonable apprehension, that under the public surveys now in progress, they will become subjects of litigation between the purchasers under the United States and the claimants under Spanish grants, unless Congress shall guard against this contingency, by providing otherwise for their adjudication; for this reason, therefore, no less than the intrinsic equity of these claims, the Legislative Council feel bound to call the attention of the Delegate to this subject.

Therefore, be it Resolved by the Governor and Legislative Council of the Territory of Florida, That our Delegate be requested to bring this important subject before Congress, and endeavor to procure the passage of a law, authorising the claimants to file their claims before the Judges of the Superior Courts of the District where the lands lie, and authorising the said Judges thereof, respectively, to receive and adjudicate all claims submitted to them, and authorising and requiring such act of Congress to be printed in all the newspapers of this Territory, in both the English and Spanish languages, and published also in the adjoining States, to the end that the interested parties may have proper and sufficient notice.

Be it further Resolved, That a certified copy of this Preamble and Resolutions be forwarded from the Executive office to our Delegate in Congress.

Which was again read and adopted.

Mr. SMITH offered the following Preamble and Resolutions:

Whereas, The duties to be performed, and the trust reposed in the Judges of the several Superior Courts of this Territory, as connected with the vital interests of its inhabitants, in the improvement of social order, and the security of property, character, liberty, and life, call, not only for incorruptible integrity, and for talents and learning of high order, but also, for a most exclusive and constant devotion to the discharge of those duties. And *whereas*, the pittance of fifteen hundred dollars *per annum*, allowed to these judges, is altogether unworthy of their station, and as inadequate to a just compensation for their services, as it is insufficient, where they are dependant on their salaries, for even a decent support. And *whereas also*, the insufficiency of this compensation, and in that respect, its injustice, both to the Territory, and to its Judges, have, from time to time, been made the subject of complaint, and presented as a grievance by our Grand Juries from one extreme of the Territory to the other—and represented as exposing this community to the loss of an intelligent and competent Judiciary, possessing in an eminent degree the confidence of the public.

Therefore be it unanimously Resolved by the Legislative Council of the Territory of Florida, That our Delegate in Congress be requested earnestly to press this subject upon the attention of the National Legislature—and to use his best exertions to procure the passage of a Law at the present session of Congress, allowing to each of the judges of this Territory, a salary, at least equal to that of the United States District Judge of Louisiana.

Be it further Resolved, That a copy of the foregoing Preamble and Resolution, duly certified by the President and Clerk of this House, be transmitted to our Delegate.

Which was read, (the rule being waived) was put on its passage and unanimously adopted.

Mr. FORBES offered the following Preamble and Resolutions, which were read, as follows:

Whereas, The connection of New Orleans with the commercial cities of the North by a continuous line of Rail Roads, is in a Nation point of view, a most important object: one which has long merited the attention of Congress, and which the growing prosperity of the Nation—the rapid march of improvement—the gi-

gantic results which would flow from it—the hidden resources it would develop—the Gordian knot with which it would bind the threatened union of the States—the identity of interests it would produce, must at present press upon the consideration of Congress with irresistible force.

And *whereas*, A company has been incorporated at the present session of the Council, by the name and style of the Florida, Alabama, and Georgia Rail Road Company, for the purpose of constructing a Rail Road from Pensacola to Columbus, a distance of 180 miles, nearly one-fourth of the whole distance from New Orleans to Washington. The contemplated route of which, will pass in a great portion of its extent through public lands, fertile and peculiarly adapted to the cultivation of the great staple of the South, but from the interposition, and the absence of natural channels of transportation, have not yet been sold, which lands will necessarily acquire a great additional value, from laying, as it were, an artificial river flowing through the centre; and in a few years, an immense district of country, now sparsely and poorly populated, will vie with the other fertile parts of Alabama, and contribute its proper share to the national independence and wealth.

And *whereas*, (Though the topography of the country throughout its whole extent, presents natural advantages and facilities for the construction of Rail Roads, superior perhaps to any other portion of the United States) the Company will have to encounter numerous obstacles in the completion of this link in the great and desirable scheme of internal improvement.

And *whereas*, It is believed and hoped, that the enlightened and liberal views of policy entertained at the present day, will induce Congress to extend all constitutional aid in effecting an improvement more completely National, and entirely practicable than any other heretofore projected—Therefore,

Be it Resolved by the Legislative Council of the Territory of Florida, That the Delegate in Congress be, and is hereby requested to use his most active endeavours to present the subject in its proper light, and to obtain the passage of an act, authorising a survey by a competent Engineer, of a route between Pensacola, Flo. and Columbus, Geo.; and granting to the Company a donation of all public lands through which the same may pass, not exceeding — yards on each side of the road.

Be it further Resolved, That the above Preambles and Resolution be duly signed and forwarded to the Delegate from this Territory.

The rule being waived—were passed.

Mr. GREEN offered on a former day, the following Resolutions:

Whereas, The subject of equal representation in the Legislature of this Territory, having caused much, and must in its nature, cause a still greater degree of public excitement, unless the apportionment be made with reference to the population of the several electoral districts.

And *whereas*, the rapid changes which have taken, and must continue to take place in our new country, until its whole Geography, and resources shall have been fully developed, renders a new apportionment at this time necessary and proper.

And *whereas*, all experience hath shewn, that small Legislatures are not the most desirable, a consequent increase of the present number of this Legislature ought to be made.

And *whereas*, this Legislature must, and ought ever be ready to recognize that fundamental principle, the denial of which, in our country, must subvert the whole system of our Government. And this Legislature clearly recognizing it, as the most, and only wholesome principle for the preservation of equal laws and equal rights, and ever ready to act up to that principle, recommend the following

apportionment, which though, considering the present population of the several electoral districts is not in exact accordance with the principle; but it not being expedient at this time to follow it out more closely—therefore,

Be it Resolved by the Governor and Legislature of this Territory, That our Delegate in Congress be, and he is hereby authorized and requested to use his zealous endeavors to procure the early passage of a law, so remodelling our present Legislative representation, that this Territory shall be allowed twenty seven — representatives, in the following proportion—to wit:—from the County of *Munroe*, constituting the first electoral district, one representative; from the Counties of *St. Johns & Mosquito*, constituting the second electoral district, three representatives; from the County of *Nassau*, constituting the third electoral district, one representative; from the County of *Duval*, constituting the fourth electoral district, two representatives; from the county of *Columbia*, constituting the fifth electoral district, one representative; from the counties of *Alachua and Hillsborough*, constituting the 6th electoral district, one representative; from the counties of *Hamilton & Madison*, constituting the 7th electoral district, one representative; from the county of *Jefferson*, constituting the 8th electoral district, two representatives; from the county of *Leon*, constituting the 9th electoral district, four representatives; from the county of *Gadsden*, constituting the 10th electoral district, three representatives; from the counties of *Jackson & Washington*, constituting the 11th electoral district, three representatives; from the county of *Franklin*, constituting the 12th electoral district, one representative; from the county of *Walton*, constituting the 13th electoral district, one representative; from the county of *Escambia*, constituting the 14th electoral district, three representatives.

Resolved, That the Chief Clerk of this House be authorized and directed to forward this Preamble and Resolutions to our Delegate in Congress, so soon as the same shall be signed by the President of this Council, and Governor.

Resolved, That should the favourable action of Congress be had upon the same, in sufficient time before the next annual election for members of the Legislative Council, then it shall be the duty of the Governor to issue his Proclamation immediately upon the receipt of the same, setting forth the different changes in the several Electoral districts, and how many members each district shall be entitled to elect.

Be it further Resolved, That should the favourable action of Congress, at the present session not be had in sufficient time for the election on the first Monday in May next; then it shall be the duty of the Governor upon the receipt of the same, to issue his proclamation, for an election to be held in such electoral districts as shall be entitled to additional members for the election of the same.

Which were again read—the yeas and nays being required on their passage, were yeas Messrs. Bird, Dupont, Green, Robinson and Ward, 5—Nays, Mr. President, Messrs. Blount, Chandler, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz and Smith, 11. So the said Resolutions are lost.

Mr. Bird on a former day, offered a Resolution, as follows:

Resolved, That the Delegate in Congress be requested to procure the passage of an Act, giving to the County of Jefferson an additional Member in the Legislative Council.

Which was again read—the yeas and nays being required on its passage by Messrs. Smith and Riz, were yeas Mr. President, Messrs. Bird, Blount, Chandler, Dupont, Forbes, Gautier, Green, Kirkland, McKinnon, Mooring, Priest, Riz, Robinson, Smith and Ward, 16—Nays none.

Mr. Smith offered the following Resolution:
Be it Resolved by this Legislative Council, That our Delegate in Congress be requested to procure the passage of a law, authorising the election of a Representative to this Legislative Council from the County of Columbia—and an additional Member for the County of Duval.

Which was read—and the rule being waived, put on its passage; the yeas and nays being thereon required by Mrs. Smith & Priest, were yeas Mr. President, Messrs. Bird, Blount, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz and Smith, 10—Nays, Messrs. Chandler, DuPont, Forbes, Green, Robinson and Ward, 6. So the said Resolution is adopted.

Mr. Ward offered the following Resolution:

Resolved, That the Governor be, and he is hereby authorised to adjust the representation of this Territory in the Legislative Council, as near as may be according to the population as ascertained by the last census; and taking also into consideration the most recent election returns: And that he shall cause election writs to issue for members to the next Legislative Council, according to such adjustment.

Which was read—and the rule being waived, put on its passage; the yeas and nays being thereon required by Messrs. Ward and Gautier, were yeas Messrs. Bird, Dupont, Green, Robinson and Ward, 5—Nays Mr. President, Messrs. Blount, Chandler, Forbes, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz and Smith, 11. So the said Resolution is lost.

The House then adjourned until to-morrow 11 o'clock.

SUNDAY, FEBRUARY 16th 1834.

The House met pursuant to adjournment, a quorum being present, the journal of yesterday's proceedings was read.

Mr. BLOUNT from the Committee on Enrolled Bills, reported as correctly Enrolled:

"An act to provide for Renting out the School Lands in this Territory."

"An act to provide for the appointment of Pilots and to regulate the rates of Pilotage at the Port of Key West, and for other purposes."

"An act to change the time of holding the Superior Courts in the Counties of Walton, Washington, Jackson, Franklin, and for other purposes."

"An act to provide for the more effectual collection of the Revenue."

"An act to adjust and settle the accounts of Davis Floyd, dec. late Treasurer, and also the claim of the Territory against his securities, and for the disposition of certain lands." And an

"Act for the continuation of the compilation of the Laws of this Territory."

Mr. BLOUNT asked and obtained leave, (the rule being for that purpose waived) to introduce a bill, entitled "An act to provide for the compensation of the Officers of the Council." Which was read—the House went committee thereon—Mr. Forbes therefrom reported the same amended, which was agreed to—the rule being waived, said bill was read a second and third time and passed. Ordered that the title be as aforesaid.

Mr. Bird offered the following Resolution:

WHEREAS, Littleton Myrick a member of this Council duly elected from the counties of Madison and Hamilton, composing the 7th electoral District, left home for the purpose of attending this session, and in consequence of severe and continued sickness has since his

arrival at the seat of Government, been prevented from taking his seat.

Be it therefore Resolved, That the said Littleton Myrick be allowed his mileage in coming from, and returning to, his home, and also, his pay per diem, to be certified by the Governor as the other accounts. The mileage amounting to eighteen dollars, for one hundred and twenty miles of travel, and the per diem to one hundred and twenty six dollars.

Which was read—and the rule being waived, put on its passage and adopted.

Mr. WARD moved that there should be read and entered upon the journals of this House, the protest of himself and other members of the Middle District of Florida, against the votes of the House upon sundry Resolutions adopted on yesterday, respecting the apportionment of the representation in this Legislative Council; the yeas and nays being thereon required by Messrs. Smith and Green, were yeas Messrs. Bird, Forbes and Ward, 4—Nays, Mr. President, Messrs. Blount, Chandler, Gautier, Kirkland, McKinnon, Mooring, Priest, Riz and Smith, 10. So the said motion is lost.

Mr. GREEN moved that he should be permitted to have read and have entered upon the journal of this House, his protest against the vote upon the bill, to give to the free people of this Territory, the right to endorse upon their tickets at the next annual election, STATE OF NO STATE—the yeas and nays being thereon required by Messrs. Green and Chandler, were yeas Mr. Green, 1—Nays, Mr. President, Messrs. Bird, Blount, Chandler, Forbes, Kirkland, McKinnon, Priest, Riz, Smith and Ward, 11. So the said motion is lost.

Mr. CHANDLER offered the following Preamble and Resolution:

WHEREAS, The proper and full development of the resources of a Country has been always deemed by its supreme authority, a matter of interest, policy, and wisdom; And whereas, it is considered a point of some moment to acquire if possible, correct and definite information as to the nature, and character of so much of the Territory as is in an uncultivated state; And whereas, also, the construction of a public road from the city of St. Augustine to Cape Florida, and affording facilities of communication, transportation and settlement throughout the Peninsula, would contribute effectually to the objects above contemplated.

Therefore, be it Resolved, by the Legislative Council of Florida, That our Delegate in Congress, be requested to use his best efforts towards obtaining an appropriation from Congress, of a sufficient sum of money, to defray the expenses of the commissioners, hereinafter contemplated to be appointed.

Resolved, That he also be requested to use his exertions in recommending, and procuring the appointment of a board, consisting of three Commissioners, with instructions to ascertain by actual survey, the practicability of constructing a road from St. Augustine to Cape Florida, following the route as near as may be deemed advisable, pursued by Col. James Gadsden, or any other route.

Resolved further, That a copy of these Resolutions be signed by the President and Clerk, and forwarded to our Delegate in Congress.

Which was read and (the rule being waived) adopted.

Mr. GREEN offered the following Resolutions:

Be it Resolved by the Governor and Legislative Council of Florida, That the Delegate in Congress be requested to procure a donation to the Tallahassee Rail Road Company, of the eighths of public land upon which the said road may be erected.

Be it further Resolved, That the Clerk of the House transmit this Resolution, certified and signed by the Governor to the Delegate in Congress.

Which were read and (the rule being waived) adopted.

Mr. SMITH from the Judiciary Committee, made the following report:

The Judiciary committee to whom was referred the bill to regulate appeals, and writs of error to the Court of Appeals of this Territory, with a letter of John Rodiman, Esq., of the city of St. Augustine, recommending the adoption of the said Bill, as a law of this Territory—have had the same under consideration—and,

REPORT:

That though the said Bill, in their opinion, contains rules and principles, which might beneficially be incorporated into our statutory code, at some future session of this Council, yet, that our limited time, and a press of other business forbid legislation upon it by the present Council.

And they pray to be discharged from further consideration of the matter referred.

Which was read and agreed to by the House.

Mr. WARD from the committee on the State of the Territory, made the following report:

The committee on the State of the Territory, to whom was referred the Resolution introduced by Mr. Priest, directing an inquiry into the expediency of Memorialising Congress upon the subject of the Georgia claim, to a part of this Territory, beg leave to

REPORT:

That the subject has already been brought to the attention of Congress, by our Delegate, and that a Bill is now before that body, providing for an adjustment of the disputed boundary line. Believing, therefore, any action on their part at this time unnecessary, they pray to be discharged from further consideration of the subject.

Respectfully submitted,

GEO. T. WARD, Chairman.

Which was read and agreed to.

Mr. BLOUNT from the committee on enrollments, reported as correctly enrolled, "An act to provide for the compensation of the officers of the Council," and for other purposes.

Mr. PRESIDENT laid before the Council the following communications:

To the Honorable JOHN WARREN,
President of the Legislative Council:

SIR:—I have approved, signed, and filed in the Secretary's office the following acts, (to wit):

"An act for the continuation of the compilation of the laws of this Territory."

"An act to provide for renting out the School Lands, in this Territory."

"An act to provide for the appointment of Pilots, and to regulate the rates of Pilotage at the Port of Key West," and for other purposes.

"An act constituting a board of Wardens for the Port of Key West."

- "An act to provide for the completion of the Capitol."
 "An act for the relief of Jesse H. Willis."
 "An act for the relief of Benjamin G. Thornton."
 "An act to facilitate the draining of lands."

Respectfully, your ob't serv't,

WM. P. DUVAL.

EXECUTIVE OFFICE,
 TALLAHASSEE, February 16th, 1834. }

To Hon. JOHN WARREN,

President of the Legislative Council :

Sir.—I have approved, signed, and filed in the Secretary's office, the following laws, (to wit :)

- "An act to provide for the more effectual collection of the Revenue."
 "An act to adjust and settle the accounts of Davis Floyd, deceased, late Treasurer, and also, the claim of the Territory against his securities, and for the disposition of certain Lands."
 "An act to change the time of holding the Superior Courts, in the Counties of Walton, Washington, Jackson, and Franklin, and for other purposes."

I have also approved, signed and filed in the Secretary's Office :

1. A Resolution respecting the Spanish claims, in this Territory. And
2. A Resolution respecting the Mail from Tallahassee to St. Augustine.
3. A Resolution respecting the appointment of a Clerk, to the Executive office.
4. A Resolution respecting a grant of land by Congress to the Tallahassee Rail Road Company.
5. A Memorial to Congress, and Resolution respecting the Rail Road from St. Marks to Jacksonville.
6. A Resolution respecting an additional member to the Council, from the County of Franklin.
7. A Resolution respecting a marine Hospital in the town of Jacksonville.

The following Resolutions have been received and filed by me in the Secretary's office—they do not require my approval:

1. A Preamble and Resolution respecting the Judges of this Territory, and their salaries.
2. A Preamble and Resolution respecting a public road from Newnansville to St. Augustine.
3. A Preamble and Resolution respecting a road to Cape Florida.
4. A report and accompanying Resolution respecting the election of Governor and Secretary of Florida by the people.
5. A Resolution respecting the Chipola river.
6. A Resolution respecting an additional member to the Legislative Council from the counties of Duval, and a member from Columbia.
7. A Resolution respecting an additional member to the Legislative Council from the County of Jefferson,

I have received and filed in the Secretary's Office the following acts passed after rejection, viz :

- An act supplemental to the charter of the Merchants and Planter's Bank of Magnolia.
 An act in addition to an act amendatory of the Charter of the Central Bank of Florida.
 "An act to provide for the compensation of the Officers of the Council, and for other purposes."

Respectfully your obedient servant,

WM. P. DUVAL.

Which were read.

Also the following :

EXECUTIVE OFFICE,
 TALLAHASSEE, February 14th, 1834. }

Sir—I nominate for *Treasurer of the Territory of Florida*—
 Charles Austin, Esq.

For *Auditor thereof*—Capt. Thomas Brown.

For *Directors of the Capitol*—Jesse Coe, William Bailey and Henry Gee, Esqs.

For *Commissioner of the Tallahassee Fund*—Wm. Hillhard.

FOR THE COUNTY OF LEON.

Justices of the Peace—Samuel H. Duval, Robert J. Hackley, Thomas M. Bradford, Turbutt R. Betton, W. G. Ponder, John L. Vickers, Henry Bradford, Thomas J. Green, Zachariah Fort, Joseph W. Klien, Arthur Macon, W. W. Briggs and Nathan Vickers.

Notaries Public—Thomas H. Austin and Hamlin V. Snell.

Port Wardens of St. Marks—Robert Sturgess, James H. Randolph, Needham Dudley, J. B. Peachy and Tim. McCarty.

Inspectors of Lumber—John B. Peachy and Ambrose Crane.

FOR THE COUNTY OF MONROE.

For Justices of the Peace—Edward Chandler, Oliver O'Harra, Richard Fitzpatrick, Samuel A. Spencer, William Cooley, William A. Whitehead, Joseph A. Thouron, Henry S. Waterhouse and Robert R. Fletcher.

For Notaries Public—John Harris, William H. Wall, William H. Fletcher, Charles M. Wills, John Dubose, William A. Whitehead and William Cooley.

Pilots for the Port of Key West, &c.—Francis J. Watlington, Charles M. Johnson, Temple Pent, Samuel Sauderson, John Geiger, David Cold, Ezra Harris, Solomon Teft and Jose Rocksilva.

Auctioneers—Thomas A. Townsend, Oliver O'Harra, William H. Wall, William H. Shaw, Richard W. Cussans, Joseph A. Thouron and William Cooley.

Wardens of the Port of Key West.—Pardon C. Green, William H. Shaw, John R. Western, Oliver O'Harra, and George E. Weaver.

FOR GADSDEN COUNTY.

Appraisers of the Union Bank of Florida—James M. Gilchrist and Stephen Paramore, appraisers Union Bank, vice Smith and Norwood declined.

Commissioners to take the acknowledgement of deeds, &c.

Richard M. Shepard, Esq. of New Orleans, Louisiana.

Frederick S. Blount, Esq. of Mobile, Alabama.

FOR THE COUNTY OF ESCAMBIA.
Justices of the Peace—George F. Baltzell, Francisco Moreno.
 Respectfully your obedient servant,

WM. P. DUVAL.

HON. JOHN WARREN,

President of the Legislative Council.

And thereupon, the House went into secret session, when the said nominations therein contained, were endorsed and consented to, with the exception of *William Hilliard*, who was nominated for the office of Commissioner of the Tallahassee fund—which nomination the House refused to consent to, and rejected the same.

Mr. CHANDLER offered the following Resolution:

Resolved, That Turbut R. Betton, the commissioner of the Tallahassee fund, has in the opinion of the Council, faithfully and honestly discharged the duties of his office; that he has by industry and skill, extricated the business of the fund from that confusion to which negligence and bad management had reduced it; and that his removal from office at present would be inexpedient and highly detrimental.
 which was read, and (the rule being waived) adopted.

Mr. BLOUNT offered the following Resolution:

Resolved, That Charles Austin, the Treasurer of the Territory, be authorised to take charge of the Council Chamber, and Capitol Square the present year, and that he be allowed the sum of one hundred dollars, to be paid quarterly out of the Tallahassee Fund.

Which was read, and (the rule being waived) adopted.

Mr. PRESIDENT laid before the Council, the following communication:

EXECUTIVE OFFICE, }

TALLAHASSEE, February 16th, 1834. }

SIR: I should be gratified, if the duty which I owe to the National Government, as its officer, would justify me in giving my sanction to the act entitled "An act to provide for the compensation of the officers of the Council, and for other purposes"—The aggregate of the several allowances in this bill, will exceed the probable appropriation made by Congress, upwards of twelve hundred dollars. Congress may if called upon perhaps make an appropriation for the deficiency, but under the responsibility devolving upon the Executive, he is constrained to reject the act for the reason above stated.

I have the honor to be,

Your most obedient servant,

WM. P. DUVAL.

Hon. John Warren, President of the Council.

Which was read, and the yeas and nays were taken upon the passage of "An act to provide for the compensation of the Officers of the Council, and other purposes."

against the veto of the Governor—Yeas, Mr. President, Messrs. Bird, Blount, Chandler, Forbes, Gautier, Green, Kirkland, McKinnon, Priest, Riz, Smith and Ward, 13—Nays, none. So the said bill is *unanimously* passed.

Mr. BLOUNT offered the following Resolution, to wit: Resolved, That a select committee be appointed to wait upon his Excellency the Governor, and inform him that the Council is now ready to adjourn, and inquire if he has any further communication to make."

Which was read and adopted—Messrs. Blount, Smith and Bird were appointed thereon.

Mr. BLOUNT from the committee appointed to wait on the Governor, reported that, that duty had been performed, and that his Excellency would communicate to this House forthwith.

The President laid before the House, the following communication:

EXECUTIVE OFFICE, }

FEBRUARY 16th 1834. }

To the President of the Legislative Council:

I have the honor to nominate, as commissioner of the Tallahassee Fund, Benjamin Chairs, Esq.

I am respectfully your obedient servant,

WM. P. DUVAL.

And thereupon, the House went into secret session, when the same was read and the House refused to advise and consent to the nomination therein contained, and reject the same.

Mr. President laid before the House, the following communication:

EXECUTIVE OFFICE, }

FEBRUARY 16th 1834. }

Hon. JOHN WARREN,

President of the Legislative Council.

SIR—Having been informed by a committee, my last nomination of Commissioner of the Tallahassee Fund was rejected by the Council, I now nominate John W. Reaves for the office.

I am respectfully, your obedient servant,

WM. P. DUVAL.

Which was read, and the House refused to advise and consent to the nomination therein contained, and rejected the same.

Mr. FORBES moved that a select committee be appointed to wait upon his Excellency the Governor, and to confer with him on the subject of a nomination for said appointment—Messrs. Forbes, Ward and —, were appointed thereon—and it is ordered that the Clerk of this House communicate to his Excellency the rejection of his last nomination—And also, transmit to him a copy of

the resolution adopted by this House, touching their sense of the services of Mr. Betton, late Commissioner of the Tallahassee fund.

Mr. President laid before the House the following communication from his Excellency:

EXECUTIVE OFFICE,

FEBRUARY 16th, 1834.

To the President of the Legislative Council:

SIR:—I have the honor to acknowledge the receipt of the Resolution on the subject of my nomination of a Commissioner for the Tallahassee Fund. The Resolution is an unusual proceeding, and cannot be viewed in any other light, than as an encroachment on the Executive power in dictating to him his duties. It is sufficient for the Executive to assure the Legislature he has no private feelings to gratify in this nomination; but complaints have been made of the conduct of Turbut R. Betton, Esq., that the Executive has reason to believe to be just, and that to his mind are satisfactory, why he should not be renominated. The Executive will not go into an examination with the Legislative Council on this subject, as it would be wholly unnecessary. The power to nominate is with the Executive, the right to reject, is with the Council.

The Executive will not therefore again trouble the Legislature on this subject, as he understood from the committee, the nominations heretofore made, were not rejected on any other account, than, that Mr. Betton would be superceded, if any one nomination was confirmed.

I am respectfully your obedient servant,

WM. P. DUVAL.

Which was read.

Ordered, on motion of Mr. CHANDLER, that the injunction of secrecy be removed from all the foregoing proceedings—when the door was again opened.

Mr. BLOUNT from the committee appointed to wait upon his Excellency, reported that he had no further communication to make to the House during the present session.

Mr. BLOUNT took the Chair;

When Mr. WARD offered the following Resolution:

Resolved unanimously. That the thanks of this House be tendered to the Hon. JOHN WARREN for the able, dignified and impartial manner in which he has presided in this House during the present session."

Which was read and adopted—no one dissenting.

Mr. President then resumed the Chair, and made an appropriate address.

The House then adjourned *sine die*.

TREASURY DEPARTMENT.

TREASURER'S OFFICE, January 14th, 1834.

REPORT:

TO THE PRESIDENT AND LEGISLATIVE COUNCIL:

The undersigned respectfully reports, that the annexed Account Current, exhibits the transactions in his department of the Treasury during the past year, to the 30th November last.

The Reports and Accounts Current of the Commissioner of the City of Tallahassee, have been regularly received, showing his Receipts to have been \$ 1,794,75 and the amounts paid out by him to be 1,418 09, leaving a balance in his hands on the 6th instant, of 376 66. A more particular statement of those receipts and disbursements, will be furnished by him.

From my report, at the close of the last fiscal year, and recently, my report to his Excellency the Governor, on the subject of Banks, it will be seen that the Bank of West Florida paid into the Treasury, \$ 220, to cover the tax on the dividends of that Bank for 1832—Since which, no report has been received from them in this department. The Bank of Florida settled in April last, all taxes due from them to that date, and on the 1st November, 1833, the Central Bank of Florida settled the amount of tax due from them to that date. No reports or payments have been received in this department from any other Bank in this Territory.

I respectfully suggest to the Legislative Council, the propriety of a law providing for the appointment of certain Auctioneers, to enter upon their duties from the first day of April next, upon giving bond in the sum of — dolls. to be approved of by — to be recorded in the respective Clerk's offices, and forwarded to the Treasurer—rendering it a high misdemeanor for any one unappointed, to act at all, or if appointed, to act without a compliance with the foregoing pre-requisites—Present Auctioneers, except such as may be removed by the Executive, to continue in office.

From the Auditor of the Treasury, you will receive statements of the delinquents to the Territory, and of the claims audited by him against it for the past year, and also of the arrears due to and from the Territory prior to that time. Respectfully submitted,

Your's obedient servant,

CHARLES AUSTIN,

Territorial Treasurer.

AUDITOR'S OFFICE,

TALLAHASSEE, 15th January, 1834. }

To the Hon. JOHN WARREN,

President of the Legislative Council of Florida:

Sir—The Auditor of the Public Accounts, has the honor to present to the Legislative Council, the following REPORT, and the accompanying Documents :

Exhibit No. 1, is a general expose of the Revenues of this Territory for the fiscal year, ending on the 30th Nov. 1833, as far as reports and returns have been made to this Department. From the Counties of Escambia, Walton, Franklin, Jackson, Gadsden, Leon, Jefferson, Columbia, Nassau and St. John's, returns have been made by the proper assessing officers in the time prescribed by law; and from the county of Duval, return has been made since the 30th Nov. The counties of Escambia, Walton, Franklin, Leon and Jefferson, have paid into the Treasury, by their respective Tax Collectors, the taxes due from them for the present year, in the time prescribed by law. The small balances which appear against the counties of Walton and Franklin have since been settled. The balance against the county of Jefferson, is on account of over charges, &c. for which an order of the County Court could not be obtained in time to pass at this office: And the balance against the county of Leon of \$329 40, is for tax on slaves of non-residents, which is suspended from collection by a process from the Superior Court of this County, amounting to \$410. The tax collector, Mr. James Bryan, having actually over paid about \$60. The tax collectors for the counties of Gadsden, Columbia and Nassau, have since the end of the fiscal year, fully paid into the Treasury the dues from their respective Counties. The tax collectors of the counties of Jackson and St. John's, have paid no part of the taxes assessed in their counties for the year 1833, and are in arrears for previous years. From the counties of Washington, Fayette, Madison, Hamilton, Alachua, Mosquito and Monroe, there has been no return to this office of tax assessor or collector, or of taxes assessed.

The Auctioneers who have made reports of Auction Tax to this Department, have generally made prompt payment—There being only about \$48 due to the Treasury from that source of revenue. The Tax arising on sales at auction at Key West, having been especially appropriated by law to the building of a Jail and Cistern at that place, no payments are made of Auction Tax into the Territorial Treasury: the reports which have been made to me, are

from Theodore Owens, for the sum \$573 25, with a receipt from the Jail Commissioners for the same—From P. C. Green, \$43 44, and P. J. Fontane, \$26 01, but as no receipts from the Jail Commissioners have been forwarded to me, these gentlemen stand charged on the books of the Auditor with these sums. Ede Van Evour, also stands charged with the sum of \$161 43 arrears of Auction Tax. The Commissioners of the Jail at Key West, are charged with the sum of \$1,219 65 of Auction Tax received by them from the Auctioneers at Key West, as per receipts forwarded to this Department. But from a statement recently transmitted to me by W. A. Whitehead, Esq. it appears that they have received the sum of \$1,594, which is \$374 35 more than is charged against them on the books of this office, and shows that sums have been paid them by the Auctioneers, for which receipts have not yet been transmitted to me.

The Bank of West Florida has paid the sum of \$220 on account of Tax on the nett profits of that institution, and the Bank of Florida declared on the 1st of April last a Tax of \$152 18 on its nett profits for the six months preceding, and the Central Bank of Florida (having purchased the Bank of Florida) declared a Tax due to the Territory for the six months ending the 1st November last, on its nett profits, of \$180 95, which sums have been passed to the credit of the Territory against the claims of the Bank.

There has been received into the Treasury for Fines and Forfeitures, the sum of \$20—and now due as per reports made to this Department, the sum of \$1055 55.

Exhibit No. 2, shows the amount of arrears due to, and from the Territory, prior to 30th Nov. 1832, leaving a balance in favour of the Territory of \$491 30.

The Auditor has, in obedience to an Act of the Legislative Council, approved 17th Feb. 1833, audited, adjusted and transferred into the books of this Department, all the accounts against individuals as stated by the Treasury Board of Commissioners and made out, and transmitted to the District Attornies of the several Judicial Districts, copies of the accounts and balances due to the Territory, with instructions to demand the same, and commence suits where payment is not promptly made.—The claims upon which suits have been ordered, amount \$5,243 22 1-2.

Exhibit No. 3, shows a settlement with the Territorial Treasurer, for the transaction of the fiscal year, ending on the 30th Nov. last. The sums received into the Treasury during that period, amounts to \$4,444 83 1-4, of which \$1,398 22 1-4 is for arrears due to the Territory prior to 30th Nov. 1832; and

Exhibit No. 4, shows the present state of the Finances of the Territory, as far as reports and revenue returns have been made to this office—leaving a balance in favour of the Territory of \$4,395 95.

The fiscal affairs of the Territory are evidently in an improving condition, and with a few amendments to our Revenue laws, where experience has proven them to be defective, so as to insure a more prompt and faithful discharge of duty on the part of Revenue officers, we may confidently express the opinion that the public credit will be soon restored and sustained.

All of which is respectfully submitted, &c.

THO. BROWN, Auditor.

TREASURY DEPARTMENT, FLORIDA,
AUDITOR'S OFFICE, Jan. 8th, 1834. }

To his Excellency Wm. P. Duval :

SIR :—In obedience to an act of the Legislative Council, approved 17th February 1833, making it "the duty of the Auditor to transmit to the District Attornies of the several districts, copies of the accounts and balances due by individuals" to the Territory for suit ; and to make to the Governor quarterly Report thereof—I beg leave to

REPORT :

That I have transmitted to George Walker Esq., United States District Attorney, for the Western District, certified copies of accounts, under the seal of my office, against Robert T. White, Sheriff and Collector of Fayette County, for the sum of \$93 34, for Revenue due for the year 1832—William S. Mooring, Sheriff & Tax Collector of Jackson County, for a balance of arrears reported by the Treasury Board of Commissioners for

the sum of	\$393 87 1-2
And for Revenue for the year 1832	658 70

Making the sum total due of	\$1052 57 1-2
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A. G. Mays, tax collector of Jackson County for arrears Reported by the Treasury Board of commissioners, amounting to the sum of \$235 42 1-2

James Pendleton Sheriff of Escambia County, for arrears reported by the Treasury Board of commissioners, amounting to the sum of \$487 16 1-2

Nicholas Mitchell tax collector of Walton County for Revenue for 1832. \$29 85

And against the counties of Washington and Escambia for making no return of taxes assessed, or of the appointment of assessors and tax collectors.

To John K. Campbell Esq., late United States District Attorney for the middle District, I have transmitted similarly authenticated claims against.

Alexander Adair, late United States Marshal of the middle District for the sum of \$276 11, as reported by the Treasury Board of commissioners. \$64 16

Robert C. Lester, Clerk of the Superior Court of Gadsden county for a balance reported against him by the Treasury Board of commissioners of \$64 16

Davis Floyd late Territorial Treasurer, for a balance reported against him by the Financial committee of the Legislative Council of 1833 \$1668 51

And Benjamin Chaires for a balance reported against him by the Treasury Board of commissioners \$110 96

To Thomas Douglas, Esq., United States District Attorney for the Eastern District, I have also transmitted claims against.

Francis J. Avice Sheriff and Tax Collector of St. John's County, for a balance against him on a settlement made in obedience to an act of the Legislative Council "for the relief of Francis J. Avice,"—Approved 13th February 1833 \$246 41 1-2

Daniel C. Hart, Sheriff and Tax Collector of Duval Connty for arrears found due by him, by the Treasury Board of commissioners of \$191 96

John Price, Tax Collector of Duval county for a balance of Revenue for 1832, of \$239 24

Waters Smith, late Marshal of the Eastern District, for a balance reported by the Treasury Board of commissioners, of \$288 91 1-2

And against F. D. Pons, administrator of Abner Hadsender for Escheat \$215 45

Also, against the counties of Musquitto, Alachua, and Columbia, for making no return of Taxes assessed in these counties, or of the appointment of Tax assessors and collectors—and I have transmitted to E. Mortimer Chandler, Esq., United States District Attorney for the Southern District, a like certificate against the county of Monroe, for making no return of Taxes assessed, or appointment of tax assessor and collector for that county. All of which is respectfully submitted.

T. BROWN, Auditor.